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ABSTRACT

This document contains 6 issues (one year) of a newsletter devoted to information and reports on issues and actions of interest to research libraries. Each issue contains articles on current issues, federal relations, ARL activities, and a calendar of events, as well as columns by the Coalition for Networked Information and the Office of Management Services. The February 1996 issue also contains a column by the Office of Scientific and Academic Publishing, and the August and October 1996 issues also contain a column by the Office of Scholarly Communication. The highlights of each issue are as follows: (February 1996) "Scholarship, Research Libraries, and Global Publishing," "AAU ARL Research Libraries Project: Update Report," "New Learning Communities Conference," and "From Situational Leadership to SuperLeadership"; (April 1996) "The Age Demographics of Academic Libraries," "Fostering a Workplace Climate for Diversity," "Copyright, Copyright, Copyright," and "ARL Directors on an OMS Workshop Experience"; (June 1996 and June 1996 Supplement) "Universities as Agents of Change," "Trends in Expenditures for Library Materials," "The Networked Information User," "Conference on Fair Use," and "Fair Use in Digital Environments"; (August 1996) "A Peacetime Mission for Higher Education," "Supply and Demand in ARL Libraries," "Explosion of Electronic Publishing Reported in Directory," and "NII Copyright Bill Stalled; WIPO Takes Up 'Digital Agenda;'" and (October 1996) "The Diversity Necklace: Reflections on the State of the Art in Canadian Research Libraries," "Review of Recent Literature in Management," "Teaching and Learning in Cyberspace," and "Increase in Serial Cancellation Rates"; (December 1996) "The Medieval Future of Intellectual Culture: Scholars and Librarians in the Age of the Electron," "Ownership of Faculty Works," "International Intellectual Property Proposals," and "Getting to Know DeEtta Jones, ARL Program Officer for Diversity." (SWC)

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G. Jaia Barrett, Editor

Nos. 184-189 Feb-Dec 1996

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ARL

A BIMONTHLY NEWSLETTER OF RESEARCH LIBRARY ISSUES AND ACTIONS

184 February 1996
AAU ARL Research Libraries Project: Update Report 4
New Learning Communities Conference 6
From Situational Leadership to SuperLeadership 10

Current Issues

SCHOLARSHIP, RESEARCH LIBRARIES, AND GLOBAL PUBLISHING

by Jutta Reed-Scott, Senior Program Officer for Preservation and Collections

ARL libraries face a frustrating paradox as they support area studies and international education programs: North American research libraries' coverage of the world's publishing output is diminishing at a time when demand for international information is increasing. This inconsistency occurs despite increasing emphasis, in the public and private sectors, on international interdependence, despite increasing commitments in research universities to fostering "internationalization" in both the curriculum and in research, and despite the exponential growth of available foreign language titles in general.

Over the past decade U.S. and Canadian research libraries have faced many pressures: expanding scholarly disciplines and the growth of interdisciplinary studies; the demands of scholars for new and expanded services; the increase in the number of formats collected; the need to preserve the collections from the ravages of decay; the move to online catalogs; and budget constraints that affect all library efforts. These challenges intensify the disparity between available financial resources to acquire global resources, a business community participating in a global marketplace, a research community working across international boundaries, and the information needs of a world undergoing dramatic change. Additionally, technological advancements and the movement toward an information society have brought increased opportunities and stresses.

North American research libraries' collection coverage of global publishing output, once thought to be comprehensive, is declining. Each year research libraries in the United States and Canada, in the aggregate, are able to purchase a smaller portion of internationally published materials than they did the year before. In response to difficult financial times, many ARL libraries have reduced the scope of their global information resources by scaling back the budgets for area collections in order to protect acquisitions of more heavily used English language materials. This results in serious gaps in collections and poses a long-term threat to research and scholarship. Given that foreign materials are frequently in-print for only a short time, these gaps cannot easily be remedied in the future.

In June 1991, with support from The Andrew W. Mellon Foundation, ARL began a four year study of trends in global information resources in ARL libraries. Scholarship, Research Libraries, and Foreign Publishing in the 1990's, the ARL Foreign Acquisitions Project, was directed toward developing a clearer understanding of the forces influencing North American research libraries' ability to build and maintain collections of publications produced outside of the United States and Canada. The final report of this project, *Scholarship, Research Libraries, and Global Publishing* was completed in December 1995.

Understanding the Challenges

The project findings underscore a pattern of retrenchment across most collecting areas and an aggregate reduction in the number of unique titles acquired from overseas. The most influential factors underlying this trend are a rapid growth in world book production and sharp increases in the cost of library materials acquired overseas. These upward trends witnessed over the past decade will not only

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continue but are certain to accelerate.

Additionally, global political, social, and economic changes are a powerful stimulus for new scholarly work. For example, dramatic shifts such as the collapse of the USSR, the emergence of nationalism in the successor states, the transformations in Eastern Europe, the rise of Asian economic powers, and the movement toward democracy in Latin America create new research as well as demands for new research resources. In a time of flux in international affairs, an inevitable conclusion is that the production of foreign information resources will continue to expand. Statistics on annual world production of book and journal titles show an estimated 45 percent increase between 1980 and 1990.

Not only has worldwide book production increased but during the same decade, the unit costs of this expanding universe of foreign acquisitions have sharply risen. The single most influential factor affecting prices of materials published overseas is the sharp decline in the value of the dollar against major currencies. The declining dollar results in higher prices for materials acquired from outside the United States and Canada.

Another trend identified in the project is that during the last decade research has become steadily larger in scope and more international. In some fields this represents the increased demands for research to solve specific economic or political problems such as environmental pollution or political instability. In other fields, the growing emphasis on cross-cultural analysis is a powerful stimulus. For example, the study of religious and cultural conflicts is creating demands for data from different corners of the globe. Scientific and technological efforts are increasingly collaborative on an international basis. As developments occur in laboratories around the world, scientists in the U.S. and Canada depend on awareness of these developments for progress in their own research. In addition, the results of research are increasingly being published outside North America. The expanding boundaries of research add to the pressures on libraries and their parent institutions not only to sustain but to expand access to international resources.

The detailed studies undertaken over the course of this project provide persuasive evidence of a growing gap between the level of acquisitions of overseas materials and the explosion of global knowledge. While the absence of uniform statistical data make it difficult to measure the exact dimensions of the aggregate decline, the evidentiary record arises from the assembled assessment data: analyses of national cataloging data for the period 1988-1994; fourteen area- and country-specific studies; surveys of bibliographers; surveys of about forty vendors supplying overseas materials; and five sampling studies. Although the needs for global research materials may differ depending on the specific world area, the commonality of the underlying problems is striking.

The study identifies the following nine factors as having the greatest influence over the state of global collections in the 1990's:

- Area-relevant library expenditures are natural and highly visible candidates for curtailment when institutional resources become constrained.
- The rapid increase in scholarly communication and collaboration across national borders and new scholarly perspectives, such as cross-culturism, are internationalizing scholarship itself.
- Cutbacks in foreign acquisitions are driven by local demands with little consideration of the effects on the entire North American access system for highly specialized global resources.
- In the aggregate, ARL libraries are spending more and more and yet are acquiring an ever-decreasing portion of the world's publishing output.
- Data indicate a declining rate of foreign language acquisitions, a decrease in the percentage of unique titles in many subject areas, and an increased concentration on core materials.
- Price trends of foreign publications document the sharp price increases that have occurred in East Asia, Latin America, Western Europe and other overseas regions.
- Publishing output in developing countries has increased by 58% between 1980 and 1990.
- The corollary costs of acquisitions, bibliographic control, and collection maintenance are disproportionately high for international materials.
- The pressures on research libraries by users to acquire more material from other countries have intensified particularly as electronic resources, audio cassettes and videotapes have become more prominent.

A Look to the Future

A central premise of the ARL assessment is that information technologies afford an unprecedented opportunity to rethink the ways research libraries manage global resources and to fashion cooperative strategies for ensuring the success of the aggregate holdings. Advances in computing and telecommunications technologies, together with the development of the Internet, now make it possible to leverage existing investments in technology and library materials to provide ubiquitous access to global research resources through the creation of a distributed, networked program for coordinated management of global resources.

During the next decade, research libraries will operate in an ever more interconnected world. A key issue for libraries today and in the future is: "surviving in an age of interdependence. Increasingly, individual libraries

must act as if each is a part of a world library. Instead of being self-sufficient, each library must find ways to put materials from the world library into the hands of its own patrons and must stand ready to supply materials from its own collection to others, quickly and cost-effectively."[1]

The challenge of managing library collections in the 1990's entails both significant conceptual and structural-institutional changes. This applies not only in the domain of area and foreign language acquisitions, but in the management of research collections as a whole. Conceptually, building a network-based, distributed program for coordinated development requires changing the philosophy and culture of collection selection, management, and user access. For all libraries the challenges are how to manage the complex transition from print-based, institutional collections to national and ultimately international networked resources.

ARL libraries are strategically positioned to assume strong leadership roles in shaping the distributed digital libraries of the 21st century. The ARL project contributed to and benefited from the separate but closely linked work of the Association of American Universities (AAU) Acquisition and Distribution of Foreign Language and Area Studies Materials Task Force. The establishment of the Task Force in 1993 provided AAU and ARL a unique opportunity to define new cooperative programs. The Task Force created an action plan to ensure access to global resources within a "distributed North American collection of foreign materials." Building on the work of the AAU Task Force, ARL in partnership with AAU, has launched three demonstration projects to test the viability of implementing a distributed, networked, coordinated collection management program for foreign research materials. ARL's Research Collections Committee has charted the directions of a larger program in the *Strategic Plan for Improving Access to Global Information Resources in U.S. and Canadian Research Libraries.*[2]

The process of implementing the AAU/ARL Global Resources Program has just begun, and there are already several insights gained from the three AAU/ARL demonstration projects and from other collaborative collection management efforts. It would be a serious error, however, to underestimate the complexity of implementing the Global Resources Program. Sustaining the momentum of the three demonstration projects and scaling up to a comprehensive program will require many organizations, including North American research libraries with strong collections of global resources, to work in concert and to build strong links with the scholarly community.

Mobilizing campus communities is an essential success factor. Borrowing from Richard Lambert: "The central problem is clear: how do we accomplish the aggregate goals...in a system in which disaggregation of education decisions is the dominant motif."[3] Within the U.S. higher education system, "the most dominant characteristic is a powerful culture of institutional autonomy."[4] Implicit in the move to build interdependent library collections is a fundamental shift in the culture or the expectations of faculty, students, and scholars. It is clear that users must change the ways they obtain library resources. It is equally clear that libraries must overcome deficiencies in interlibrary loan services and improve the delivery of materials to users. Resources will have to be adjusted and reallocated from those library operations "associated with building a self-sufficient collection" to "those associated with cooperative collection development and sharing."[5]

A successful implementation strategy will have to balance the inevitable tension between institutional interests and consortial needs. Central to success is building support among faculty and students for restructuring local collection development policies and access services. There are two challenges. One is to engage the campus community in shaping the long-term strategies for managing foreign acquisitions. The other is to develop a common understanding of both the current problems affecting access to foreign acquisitions and the proposed improvements through strengthened coordinating structures and electronic resource sharing.

Given the complexity and diversity of issues to be addressed and the manifold ramifications of restructuring library services, it is unrealistic to expect that the problems will be solved in their entirety or immediately. This is the time to act however, and to take maximum advantage of information technologies and networks, to move toward a multi-institutional, collaborative program that will expand North American access to global resources.

[1] Shirley K. Baker, "Introduction" in *The Future of Resource Sharing* (edited by Shirley K. Baker and Mary E. Jackson) in *Journal of Library Administration*, vol. 21, no. 1/2 (1995): 1.

[2] The plan builds on the final report of the AAU Task Force on Acquisition and Distribution of Foreign Language and Area Studies Materials. See the ARL Gopher <URL:http://arl.cni.org>.

[3] Richard D. Lambert, "International Studies and Education: The Current State of Affairs," *International Education Forum*, vol. 10, no. 1 (spring 1990): 6-7.

[4] Bill E. Frye, "The University Context and the Research Library," *Library Hi Tech*, issue 40 - 9:4 (1992): 35.

[5] Anthony M. Cummings, et al., *University Libraries and Scholarly Communication. A Study Prepared for The Andrew W. Mellon Foundation.* (Washington, DC: Association of Research Libraries, 1992): 142.

Scholarship, Research Libraries, and Global Publishing will be available from ARL Publications, 21 Dupont Circle, NW, Washington, DC 20036, (202) 296-2296, (email: arlhq@cni.org).

AAU ARL RESEARCH LIBRARIES PROJECT: UPDATE REPORT

Overview

Last October 15, the joint AAU ARL Research Libraries Steering Committee, co-chaired by Myles Brand, President of Indiana University and Jerry Campbell, University Librarian and Dean of Libraries, University of Southern California, met in Boulder, Colorado, in conjunction with the AAU fall membership meeting and reviewed the work of both the Intellectual Property Task Force and the ARL Research Collections Committee. Three related, but distinct, initiatives were on the agenda: (1) a "call for proposals" for electronic scholarly publishing; (2) a comprehensive university license for the reproduction of copyrighted materials; and (3) a program to build a distributed collection of global research resources to ensure North American access to foreign publications. The AAU presidents and chancellors were briefed in Boulder on these initiatives as well as the steering committee recommendations for their further development. Later the same week, these projects and the steering committee's deliberations were reviewed and discussed by ARL directors during the October 17-20 ARL Membership Meeting.

The outcome of these several discussions was agreement to move forward on development of the concept of an electronic scholarly publishing initiative and the development of a global resources plan. On the subject of a university license for reproduction of copyrighted materials, there was agreement that the terms of reference and pre-conditions for such discussions needed further definition. The following review presents the status of the three major projects being carried out under the guidance of the steering committee.

Electronic Scholarly Publishing Program

In the spring of 1995, the AAU ARL Steering Committee asked the Intellectual Property Task Force to define an entrepreneurial venture in electronic publishing responsive to the needs and interests of the academic and scholarly community. While the assignment was made with an eye to developing cost-based electronic publishing in the sciences, the steering committee saw only advantages to broadening the initiative to encompass the humanities and social sciences as well.

The Task Force's response was to draft a "call for proposals" for an Electronic Scholarly Publishing (ESP) Program that encourages the establishment of electronic information resources of significant value to scholars in a chosen field or subfield; those resources would be expected to operate at lower than the equivalent costs of printed works and to maximize the flow and convenient use of scholarly material. To encourage ventures that meet these goals, the Task Force has tentatively suggested offering between five and eight grants, in the range of $75,000 to $150,000 each, as seed money to cover start-up costs.

The steering committee responded very positively to the ESP Program proposal and made several suggestions to the Intellectual Property Task Force in order to advance the concept. In simple terms, the vision for this project is to create an opportunity for a set of universities to act in concert to support electronic, scholarly communications that are simultaneously more cost effective than the current print mode, richer in their support of scholarship, and more accessible to students, researchers, and scholars. Among the objectives already embedded in the ESP proposal or identified in discussions about the proposal are the following:

- foster a competitive market for scholarly publishing by providing realistic alternatives to prevailing commercial publishing options;
- develop policies for intellectual property management emphasizing broad and easy distribution and reuse of material;
- encourage innovative applications of available information technology to enrich and expand available means for distributing research and scholarship; and
- assure that new channels of scholarly communication sustain quality requirements and contribute to the promotion and tenure processes.

The Task Force is continuing to develop the concept and hopes to submit a proposal to AAU and ARL for formal consideration later this year.

Discussions with the Copyright Clearance Center

The AAU ARL Intellectual Property Task Force also developed a draft set of "guiding principles" for negotiating with the Copyright Clearance Center (CCC) for a comprehensive university license for the reproduction of copyrighted materials beyond that permitted under the fair use provision of the copyright law. The Task Force began in May to explore such a possibility with the CCC and the principles were developed as an initial response. The judgment of the Steering Committee about this type of arrangement with CCC was interested and guarded. The ARL membership discussions concurred. The pros and cons of the concept of university-wide or comprehensive license for the reproduction of copyrighted materials were recognized (for example, see *ARL* 181, pages 6-7). A consensus emerged that additional information is needed before the steering committee would put the initiative before the AAU or ARL members to consider endorsement.

The Intellectual Property Task Force was asked to pursue several additional steps including a revision of the draft "guiding principles" document to reflect the point of view of research universities' long-term goals, objectives, and needs, including for example, that such a license

encompass electronic resources. The Task Force was also asked to investigate the university experience in Canada and Australia, where similar agreements are in place.

The Global Research Resources Program

The Steering Committee reviewed a report prepared by the ARL Research Collections Committee on the scaling up of the current demonstration projects that were launched to test the viability of a distributed, networked, coordinated collection management program for foreign research resources. The document *Options for and Issues in Scaling up the AAU ARL Demonstration Projects* is posted to the ARL Gopher (arl.cni.org/collection development); the issues addressed in the report include:

- designing a mechanism for funding the global resources program;
- assuring the availability of the electronic infrastructure;
- anticipating and addressing copyright obstacles;
- establishing a management structure for the global resources program;
- redesigning information access and delivery services;
- evaluating the current efforts to pilot test the global resources concept; and
- securing support of area studies faculty and librarians in the concept of distributed collections.

The Steering Committee agreed with the need to evaluate progress and experience of the projects to address the issues raised in the report. They urged, however, that this evaluation be pursued simultaneously with expansions of current projects to advance more quickly toward the ultimate goal of a North American distributed collection of global resources. There was a judgment that the vision of the program, especially the hoped-for benefits, will be more obvious to everyone when the demonstration projects increase access to a larger universe of resources.

This winter the ARL Research Collections Committee is developing a plan to expand the demonstration projects by discipline, geography, and types of materials and to engage larger numbers of university constituencies in discussions around this set of issues. Elements addressed in the draft tactical plan include:

- the creation of a Global Resources Program with a federated management structure, and hosted by ARL in cooperation with AAU;
- appointment of a full-time Coordinator for a three-year term with responsibilities for continued development, growth and improvement of the program;
- the design of an educational effort to inform campus faculty about the Global Resources Program and to build consensus on the proposed strategies for addressing their needs for global resources;
- a proposal for a strategic investment by AAU and ARL institutions to fund program start-up and operation for 1996-1998; and
- establishment of an advisory committee made up of provosts and other academic administrators from AAU and ARL institutions to guide the development of the program.

In addition, in December, ARL reached a breakthrough agreement with OCLC to assist the projects with technical capabilities to streamline the article request process for network users and for libraries. As a first step, OCLC agreed to work with ARL's North American Interlibrary Loan and Document Delivery (NAILDD) Project and the Latin Americanist Project to develop a standards-based linkage from the table of contents database hosted at the University of Texas, Latin Americanist Network Information Center (UT-LANIC). Lessons from this application will be applied to other databases, other ILL/DD messaging systems, and a wider set of libraries. OCLC is prepared to support the application of the software package to as many as a dozen different databases. This development has the potential for streamlining the process of access for users and dramatically altering the costs of operating the distributed collections concept.

Next Steps

The AAU ARL Research Libraries Steering Committee plays an active role in the intergration of the three separate projects and their ramifications for the way universities conduct their business. Even if a greater proportion of scholarly communications come under university control, universities may find it useful to develop new contractual arrangements with components of the commercial sector — thus, the importance of the discussions on licensing. To the extent that electronic publishing permits greater inter-institutional cooperation, the cooperative, networked collections management arrangements developed by the Global Research Resources program can serve as prototypes for broader resource sharing. The impact of these new arrangements will likely affect how universities recognize and reward scholarship through tenure and promotion criteria and other institutional actions. For example, see "Electronics and the Dim Future of the University," by Eli M. Noam (*Science*, vol. 270, 13 October 1995, pp. 247-249) for one view of the impact of the electronic environment on the future of the university.

The steering committee will meet again in April presenting another opportunity to review progress toward the ambitious agenda pursued by the two associations.

– John Vaughn, AAU and Duane Webster, ARL

NEW LEARNING COMMUNITIES CONFERENCE

Introduction

"Using the Web is intrinsically engaging and inherently encourages active learning," stated one of the participants in the Coalition for Networked Information's New Learning Communities conference held in Indianapolis on November 17-19, 1995. Many of the participants in the conference, all of whom had created collaborative teaching and learning projects in the networked information environment, agreed. The conference attendees, early adopters of networking technologies into the teaching and learning process in higher education, are finding that many others on their campuses are seeking their expertise and insights in order to develop programs in additional content areas. The key challenge for many institutions is to find a way to scale these early initiatives and to build a campus infrastructure to support these new modes of learning.

Background

Under the leadership of Philip Tompkins, Indiana University - Purdue University of Indiana (IUPUI), and Susan Perry, Mount Holyoke College, CNI's New Learning Communities Program seeks to promote cross-fertilization of professionals in higher education institutions across the country who use networks such as the Internet and networked information resources to enrich their curriculum and broaden their students' learning experiences. The program brings together institutional or inter-institutional teams of faculty, librarians, information technologists, instructional technologists, and students, to share perspectives, critique each other's programs, and develop a set of "best practices" for the benefit of the larger educational community.

The goals of the program are:

1. To provide a mechanism and a venue where experienced, collaborative teams of individuals working on curricular programs involving the use of networks and networked information can benefit from peer advice, moral support, and program critiques.
2. To provide the means for others in the academic community, nationally and internationally, to benefit from the expertise and experience of teams who have implemented teaching and learning programs using networks and networked information.
3. To encourage and assist information technology professionals and librarians to serve as partners with teaching faculty in the design and delivery of instruction using networking and networked information.

CNI's first New Learning Communities conference was held in Phoenix at the Estrella Mountain College Center of the Maricopa County Community College District in July, 1994. Both conferences were co-sponsored by the Association of College and Research Libraries (ACRL), the American Association for Higher Education (AAHE), and Educom's National Learning Infrastructure Initiative (NLII). CNI received a grant from the Department of Education's HEA Title II-B "Library Education and Human Resource Development" program to assist with the funding of a three-phase implementation of the New Learning Communities Program in 1995-6. The first phase of the work under this grant was a three-day conference at IUPUI.

The Indianapolis Conference Projects

- "Collaboratory," University of Hawaii at Manoa;
- "Collaborative Development of Web Pages for Students in a First Year Colloquy Series," Gettysburg College;
- "Distance and Electronic Education Project: A Mini-Grant Program," Johns Hopkins University;
- "LC Online," Louisiana College;
- "UWired: Teaching, Learning and Technology," University of Washington;
- "The California Young Scholar Program," California State Polytechnic, Pomona;
- "Student Directed, Information Rich (SDIR) Learning," North Carolina State University;
- "Fine Arts 121: A Model for Developing a Digital Undergraduate Curriculum," University of Southern California;
- "Integrating Networked Information into Instruction," Mesa and Estrella Mountain Community Colleges; and,
- "The Delta Project: Integrated Database: Biological Sciences and Art," California State University System.

The Indianapolis Conference

Teams were selected to participate in the Indianapolis conference based on their responses to a call for participation issued by CNI earlier in 1995.

The projects represented at the Indianapolis Conference speak to the wide range of subjects and types of institutions that are integrating networking and networked information resources into the curriculum. The content for the courses represented included the fine arts, English, natural resources, nursing, and social sciences. Higher education institutions of all types have innovative projects involving new learning communities, from community colleges to liberal arts colleges, to large state and private universities. In addition to team members from the faculty, library, computing center, and instructional development center on campus, some

programs also collaborated with local museums, high schools, and university bookstores.

Team members attended presentations by selected IUPUI administrators and faculty on such topics as the nature of faculty work (William Plater, Executive Vice Chancellor and Dean of Faculties), collaborative learning (Sharon Hamilton, Professor of English), teaching, learning, and technology (Garland Elmore, Associate Executive Vice Chancellor), and assessment (Trudy Banta, Vice Chancellor, Susanmarie Harrington, Assistant Professor of English, and Joe Lovrinic, Management Advisory Office). But, most of the work at the conference was done in small group sessions during which teams were paired to share information about the successes of and problems with their projects. Other small group sessions allowed each team an opportunity to reflect on their project and plan next steps. Participants particularly enjoyed the opportunity to see each project in action during a demonstration session in IUPUI's Center for Teaching and Learning.

Findings

The participants discussed many aspects of their collaborative projects. At least two kinds of collaboration were identified: collaborative development of the course content and delivery mechanisms by a cross-sector team of faculty and professionals; and, collaborative learning among students and among students and faculty during the delivery of the course. Based on their experiences and the frameworks provided by the speakers, the team members described some of the most important features of their programs. They included: students working as self-directed learners; students learning to work collaboratively; and, verbally reticent students expressing themselves on the network. One project team noted that the integration of visual materials, sound, and text made possible by today's technologies can improve the ease and quality of learning in some fields, particularly in music and art. Many of the team members reported that faculty became excited and motivated by working with other developers in a team environment, projects prompted collaboration among units on campus that previously had not worked together, and interaction between colleagues was deepened.

Some advice that team members had for others developing similar efforts was to keep the central role of faculty in the process, to encourage students to be part of the development team, to incorporate information literacy into the curriculum, to learn about each team member's competencies, to have students build a network resource that has genuine use for the course as part of the curriculum, and to tie the use of technology closely to the curriculum. One team's advice to others is simply, "Start!"

Key impediments identified by the teams included insufficient infrastructure (networking, personnel, equipment, facilities, etc.), difficulty scaling projects (reaching more courses and more students), the time commitment required to develop such projects, problems with off-campus access, and copyright of materials that might be incorporated in the networked resources.

Further Information

Information on New Learning Communities can be located on CNI's Web site:
<URL:http://www.cni.org/projects/nlc/www/nlc.html>

The same information is also available via CNI's FTP and gopher servers:
<URL: ftp://ftp.cni.org/CNI/projects/nlc>
<URL:gopher://gopher.cni.org:70/11/cniftp/projects/nlc>

Additional information, particularly on ordering the videotape or registering for a future conference, can be obtained from:
Joan K. Lippincott, Assistant Executive Director,
Coalition for Networked Information,
21 Dupont Circle, Washington, DC 20036,
202-296-5098, Internet: joan@cni.org.

Next Steps

In order to assist other institutions that wish to develop similar initiatives, case studies of each project will be mounted on the Web for access by the entire Internet community. Abstracts of each project and the meeting agenda are currently available on the CNI's Internet server.

CNI expects to produce a videotape with excerpts from the conference. A videotape from the 1994 New Learning Communities conference along with a handbook of materials to assist institutions with developing a similar program at the local or regional level is available from the Coalition for $25.

In late spring 1996, CNI will hold a conference on New Learning Communities for collaborative teams that are just starting teaching and learning projects or who wish to gain some insight into how to begin such an effort. Participants from teams from the two previous conferences will present their programs and assist with small group facilitation. The date and place of this conference have not yet been set.

On July 5, 1996, a full-day preconference on "Librarians as Leaders in New Learning Communities" will be held at the American Library Association in New York City. Under the auspices of the Association of College and Research Libraries (ACRL), the program will focus on the role of the librarian on collaborative teams.

FEDERAL RELATIONS

Prudence S. Adler, Assistant Executive Director-Federal Relations and Information Policy

TELCOM REFORM CONFERENCE ADDRESSES ONLINE PORNOGRAPHY

Members and staff of a House-Senate conference committee on telecommunications reform have reached consensus on many thorny and contentious issues included in the House- and Senate-passed Telecommunications Competition and Deregulation Act of 1995 (H.R. 1555 and S. 652). The House and Senate passed this landmark legislation on February 1.

If the bill is signed into law by the President, there are provisions that are certain to result in litigation. Provisions approved by conferees impose unprecedented restrictions on communications among individuals and impose fines and penalties for transmitting material that is "indecent." Sen. James Exon (D-NB) is sponsoring this amendment and in the House, Reps. Christopher Cox (R-CA), Ron Wyden (D-OR), Rick White (R-WA), Henry Hyde (R-IL), and Robert Goodlatte (R-VA) have taken the lead on this issue. The common goal of the amendments is to establish additional ways to federally prosecute online pornographers by criminalizing indecent communications.

Members of the House and Senate conference committee on telecommunications reform legislation met on December 14 and considered the various amendments intended to address online pornography. Ultimately, the conferees agreed to the language adopted by House conferees, which imposes new criminal liabilities on the transmission of indecent material. The "indecency" standard adopted by the conferees was in lieu of a "harmful to minors" standard.

Although both the "harmful to minors" and "indecency" standards are problematic for libraries and educational institutions, there are significant differences between them. Forty-eight states have adopted harmful to minors standards to criminalize the display of pornography to minors. Some state laws exempt libraries from these provisions. In addition, the harmful to minors standard has been held to be constitutional. The meaning of indecency, however, is linked to a local community's interpretation of that which is "patently offensive." Unlike the harmful to minors standard, the indecency standard in the telecommunications bill does not include exemptions or exceptions for cultural, literary, political, or scientific materials or content.

As they stand, the provisions imposing new criminal penalties on the transmission of material considered "indecent" pose a number of very significant challenges to libraries and educational institutions. The decentralized nature and scale of networked services in university settings makes it extremely difficult to monitor communications. In addition, such monitoring would be in violation of long-standing principles of confidentiality, privacy, and freedom of expression espoused by the library and education communities.

GPO ISSUES ELECTRONIC TRANSITION PLAN

The Government Printing Office (GPO) released the long awaited "Electronic Federal Depository Library Program: Transition Plan, FY 1996 - FY 1998." The Plan was requested by Congress through the Legislative Branch Appropriations Act of 1996 and has been included in the GPO FY 1997 appropriations request. A hearing on these appropriations will be held in the House on February 21. ARL and others in the library and federal sectors have been asked to comment on the Plan's impact on users and libraries. As noted by GPO, there are several "key assumptions" in the plan:

- "Nearly all of the information provided through the Federal Depository Library Program (FDLP) will be in electronic format by the end of FY 1998."
- GPO will convert selected publications from paper into electronic format.
- "The responsibility for ensuring long-term access to electronic information will shift from the depository libraries to the Superintendent of Documents (SOD). Connection to electronic access services operated under the authority of the SOD replace the geographically-dispersed collections of books and microfiche."
- In providing this long-term access to information, the SOD "assumes such costs as data preparation for mounting, maintenance, storage, and ongoing costs to minimize deterioration and assure technological currency."
- The transition plan assumes continued full funding of the FDLP in the next several years. The shift away from paper and microfiche products will fund the new electronically-based services.
- GPO intends to provide "technology grants" to selected depositories to assist with the transition to an electronically-based program. This is to "ensure reasonable public access and proximity to at least one electronically-capable depository in every Congressional district."
- Funds currently devoted to the depository library inspection program will be redesignated to FDLP support services.

The Plan is available on the ARL Gopher: <URL:gopher://arl.cni.org:70/00/info/govinfo/gpo>.

Courts Rule on Online Liability

As Congress debates the merits of holding online service providers liable for certain actions, two Courts have ruled on cases involving liability for comments posted on a computerized bulletin board and for copyright infringement. The New York State Supreme Court for Nassau County declined to reverse a ruling against the Prodigy Services Company, affirming that Prodigy is liable for comments posted to its service by a subscriber. The decision also noted that the online service provider did make some effort to screen out content posted by subscribers and that the service was a publisher of information, not just a carrier. In an interesting twist, since the original ruling, the plaintiff investment bank and its president have withdrawn their libel suit in return for an apology by Prodigy.

A federal judge in California has ruled that Netcom may be held liable for copyright infringement because the company did not remove copyrighted materials posted by a subscriber. The judge's ruling included an important distinction: that Netcom may be liable for "contributory" copyright infringement, not direct or vicarious infringement.

The Administration's White Paper on Intellectual Property and the NII, and the National Information Infrastructure Copyright Protection Act of 1995 (S. 1284 and H.R. 2441), include a proposal that would hold online service providers liable for subscribers' postings of copyrighted works without permission.

Congress Takes Up Copyright and the NII

On November 15, the House Subcommittee on Courts and intellectual Property and the Senate Committee on the Judiciary held a joint hearing on S. 1284 and H.R. 2441, the National Information Infrastructure Copyright Protection Act of 1995. The focus of the hearing was the proposed changes to the Copyright Act included in these bills. Testimony was presented by Bruce Lehman, Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, Marybeth Peters, Register of Copyrights, and Mihaly Ficsor, Assistant Director General of the World Intellectual Property Organization.

Although all of the witnesses were supportive of changes to the Copyright Act, Marybeth Peters noted that some additional changes vis-a-vis preservation issues would be needed. She also commented that a rethinking of the Copyright Act may be needed to address the fundamental changes resulting from the growing use of information technologies. "We note that...the legislation addresses only the current state of a rapidly-evolving technology, and that a more fundamental reexamination of the structure of the Copyright Act may be necessary in the near future." The Copyright Office will be submitting a second statement for the record addressing these "broad range of issues."

Some members of Congress did express concern that international activities could overtake congressional deliberations. Commissioner Lehman assured members of the Committees that this would not occur. The House Subcommittee on Courts and Intellectual Property, Committee on the Judiciary, plans its next hearings on these bills for February 7 and 8.

Updates

Copyright Term Extension

Rep. Moorhead, Chairman, Subcommittee on Courts and Intellectual Property, has requested that the Register of Copyrights "facilitate a discussion" between representatives of copyright owners and of the library community regarding a possible amendment to H.R. 989, the Copyright Term Extension Act. The first meeting to discuss possible changes to the bill was held on December 18 with additional sessions planned in January.

PTO Seeks Comment on Continuation of Online Dissemination Strategies

Recently, the Patent and Trademark Office decided to provide no-fee public access via the Internet to approximately 20 years of searchable patent bibliographic records. PTO has since requested comment on their public dissemination program. On December 28, AALL, ARL, and ALA wrote in support of the PTO dissemination efforts. A copy of the letter is available via the ARL Gopher: <URL:gopher://arl.cni.org:70/00/info/testimony/1995/pto.ltr>

Information current as of February 1 – PSA

NEH and Other Agencies Operate Without Final 1996 Appropriations

On January 26, with nearly one third of the 1996 fiscal year completed, President Clinton signed legislation that will keep the full government operating through March 15. The fourth Continuing Resolution (CR) dovetailed with the third CR, which ended January 26. As with the third CR, the National Endowment for the Humanities will continue to operate at $99.5 million (the lowest of the House and Senate-passed budget levels despite the fact that both chambers approved a conference report assigning NEH $110 million).

– John Hammer, National Humanities Alliance

FROM SITUATIONAL LEADERSHIP TO SUPERLEADERSHIP: ONE OMS PARTICIPANT'S STORY

by Roland Barksdale-Hall, Head Librarian, Shenango Campus, Pennsylvania State University

Participants in ARL/OMS Institutes often communicate with OMS staff after their return to work. Frequently, these communications are sparked by a participant's insights regarding his or her own leadership values and practices. Roland Barksdale-Hall, a participant in a Library Management Skills Institute I *in June 1995, is Head Librarian at the Shenango Campus of Pennsylvania State University. With encouragement from both Penn State and OMS, he agreed to write this article about his thoughts on leadership since his* Institute *participation. We hope this will prompt other participants to share with us developments in their thinking.*

— Kathryn J. Deiss, ARL/OMS Program Officer for Training

At the close of an exhilarating OMS *Library Management Skills Institute I* in Denver, I wondered, "Where do I go from here?"

"Back home, of course," came the immediate response. Unfinished work assignments and family commitments were waiting for me. It sounded simple enough. The thought prompted a mad dash for the airport.

On the airplane I reflected on what had brought me to Denver. Although I was a hard sell for leadership training, the OMS *Institute* swung open the doors of self-discovery. I had wondered what tangible difference a week-long management skills institute possibly could make because, in my book, technical competence held a higher value than leadership training. In today's high pressure business world, where change is the only constant, adult learners reserve little time for nonessentials; yet I committed to go and promised myself to keep an open mind.

At the time of enrollment I had more than 17 years of progressively responsible leadership experience. Despite various professional pursuits, I had never received a management skills assessment. Since childhood I have approached tests with apprehension. The instruments for the *Library Management Skills Institute I* were less tortuous than tests taken during childhood, however. In addition, the management simulations provided a stimulating, nonthreatening environment for self-evaluation. Moreover, the results shed valuable light upon my character, tendencies, and preferences. I returned home with renewed confidence.

The first week back at Pennsylvania State University, I discussed the experience with my supervisor. The report was routine, yet there was a change in my perspective. I could not put my finger on it, but I felt better when I looked in the mirror.

To know thyself is the beginning of true understanding.[1] Before the *Institute*, I was a situational leader. According to Paul Hersey, a situational leader adapts "leadership behaviors to features of the situation and followers."[2] My situations, which sometimes appeared bigger than life, were regulated through a selection of various decision-making styles in order to maximize the achievement of various constituents. A drawback was that my personal progress was tied to the constituents' perceived outcomes. If constituents' responses were in keeping with expected outcomes, I was an effective manager. But an unexpected outcome presented a challenge to my self-worth. At such times I fastidiously sought advice from mentors. On several occasions group problem solving showed the situations to be more complex than I even imagined.

After the *Institute* I aspired to become a superleader. Charles C. Manz defines a superleader as an administrator who focuses largely on developing the self-leadership abilities of constitutents.[3] During a getaway this past August, I pondered what other applications there were, if any, for the knowledge gained from the OMS *Institute*. I concluded that, given the complexity of today's organizational structures, the belief that the heroic manager resolves all problems was anachronistic.[4] This thought provided the impetus to explore other leadership paradigms.

Superleadership provides a potential springboard for the promotion of steadiness within organizations. The multidimensional nature of change touches the lives of all constituents. Consequently, "self-leadership is relevant to executives, managers, and all employees—that is to everyone who works."[5] The search for solutions requires an analysis of systems and procedures by constituents at all levels.

My thoughts turned to former supervisors. Among

the exemplary leaders that came to mind was one outstanding library administrator, Gloria J. Reaves, at the Capitol Institute of Technology. She consistently assigned me challenging assignments in keeping with my skills and service. Gloria, like a coach, cheered for the home team. This superleader also provided ample praise along with constructive criticism and good solid advice. When my first essay was published, my mentor showered me with encouragement: "Now that you're over the first hurdle, other publications are sure to follow," she said in her quiet matter-of-fact way. Her confidence inspired me to write additional essays. Through her mentorship I achieved in other professional areas. At Penn State I aspired to emulate her wonderful example.[6]

The quest for self-fulfillment has led to a new emerging self. For a few months there were moments of uncertainty as I shed the vestiges of thinking that I had to be the heroic leader. I then realized that additional experiences were required for my development into a well-rounded superleader such as Gloria Reaves. Out of reflections in my journal also came the knowledge that there was a developmental gap. I became determined to close that gap through further learning experiences.

To be candid, a need existed inside me to grow beyond my leadership skill level. Few extensive leadership learning opportunities exist in my institution, as is common for academic libraries throughout the nation.[7] Because of these observations, I inquired about additional education.

As a result of the summer OMS *Management Skills Institute I*, I enrolled this fall in the first class of the new master's degree program in Leadership and Liberal Studies at Duquesne University. The Saturday program offers an eclectic curriculum that is designed for inquisitive administrators.[8] What I once understood intuitively, I am now understanding differently through acquiring the appropriate underlying theoretical constructs. Best of all, I am growing again. As with most processes, my transformation is ongoing, yet my new sense of direction is gratifying. Thanks to the insights that I gained through attending the OMS *Institute*, I am on a leadership track which will help me contribute more effectively to my team and organization.

[1] An inscription at the Delphic Oracle. John Bartlett, *Familiar Quotations*. Boston, MA: Little, Brown, and Company, 1980, p. 62.

[2] Hersey, Paul, and Kenneth H. Blanchard. "Situational Leadership." Chapter 32 in *The Leader's Companion: Insights on Leadership Through the Ages*, edited by J. Thomas Wren. New York: Free Press, 1995, p. 210.

[3] Manz, Charles C. "SuperLeadership: Beyond the Myth of Heroic Leadership." Chapter 33 in *The Leader's Companion*, p. 216.

[4] Bass, Bernard M. "Concepts of Leadership: The Beginning." Chapter 9 in *The Leader's Companion*, p. 50.

[5] Manz, Charles C. 1995. op.cit., p. 217.

[6] Roland C. Barksdale-Hall, "Nurturing Leadership Is Tops in Goals of Higher Education," *The Herald*, April 10, 1994, A-9.

[7] Baker, Shirley K., "Leading from Below; or Risking Getting Fired," *Library Administration and Management*, vol. 9, no. 4, 1995, pp. 238-40.

[8] Courses include Information Technologies for Modern Organizations, Conflict Resolution, Decision Making and Problem Solving for Leaders, Human and Financial Resources, Interpersonal Communication, The Ethical and Spiritual Dimensions of Leadership, and Valuing a Diverse Workforce: the Leader's Role.

Research Libraries Need More Than Librarians

OMS SPEC Kit #212, *Non-Librarian Professionals* examines professional personnel in ARL libraries who have not attained the M.L.S. degree. To take full advantage of the opportunities presented by emerging technologies, libraries need an infusion of diversified talent and a greater breadth of perspective than what the traditionally trained and oriented librarian brings. Libraries increasingly need professionals who possess additional, advanced educational qualifications or specialized training in order to function effectively and efficiently. The systems office is the major area in which other training or education is accepted in lieu of the M.L.S. degree; further study on the educational backgrounds of systems staff will be undertaken in the form of a separate SPEC Kit later this year.

M.L.S. degreed professionals do not face undue competition however, as there remains a wide gap between an expressed willingness to consider such individuals and actually making these appointments in any significant numbers. What is important is not that libraries need other professionals, but rather how these positions are defined, their incumbents recruited and hired, and then once hired, how these professionals are oriented to the nature of their responsibilities in a research library.

SPEC Kit #212 was compiled by John Zenelis and Jean Dorrian of Temple University Libraries. It is available for $40 ($25 ARL members) from ARL Publications, Department #0692, Washington, DC 20073-0692, (202) 296-2296, (email: arlhq@cni.org).

– Laura Rounds, OMS Program Officer for Information Services

Continued

OMS TRAINING SCHEDULE 1996

To register, contact Christine Seebold, OMS Training Program Assistant, telephone 202-296-8656, cseebold@cni.org.

FACILITATION SKILLS INSTITUTE

March 11 - 13 Chicago, IL
Sept. 11 - 13 Baltimore, MD

Participants will learn how to become skilled facilitators who can assume key roles within their work units and other groups to assist in producing better quality team/group results. Topics will include: skills for effective facilitation; group dynamics and group process; facilitative versus controlling leadership; managing meetings; dealing with difficult behaviors in groups; and problem-solving and decision-making methods. Each participant will have an opportunity to practice facilitation skills.
ARL Members: $350 Nonmembers: $420

TRAINING SKILLS INSTITUTE: MANAGING THE LEARNING PROCESS

March 20 - 22 Baltimore, MD

This program will follow a five-stage model to prepare participants to design and conduct effective training programs. Participants will learn how to analyze needs, develop learning objectives, design a curriculum, select methods, deliver training, and evaluate outcomes. The program will include a practicum experience.
ARL Members: $400 Nonmembers: $475

LIBRARY MANAGEMENT SKILLS INSTITUTE I: THE MANAGER

April 22 - 25 Houston, TX (note location change)
October 1 - 4 Chicago, IL

This *Institute* will explore and develop a range of concepts and techniques associated with effective management so that the individual will broaden his/her ability to function and to contribute to the organization. The focus will be on the individual and the individual's relationship to the library organization as a whole, including relationships to peers, direct reports, and supervisors. Through feedback tools and learning experiences, participants have an opportunity to reflect on their current approach to managerial and leadership responsibilities.
ARL Members: $490 Nonmembers: $550

LIBRARY MANAGEMENT SKILLS INSTITUTE II: THE MANAGEMENT PROCESS

May 20 - 24 Philadelphia, PA

This intensive 5-day program will use a simulated library workplace, in the framework of the learning organization model, to focus on the individual's ability to have a positive influence on the overall performance of the organization. Emphasis will be placed on building and maintaining proficiency in the skills of observation, diagnosis and planning so that participants will become more effective in solving organizational problems and in recognizing organizational opportunitites.
ARL Members: $695 Nonmembers: $745

FACILITATING CHANGE: THE INTERNAL CONSULTANT

Oct. 21 - 23 Kansas City, MO

Management and staff in libraries will be increasingly expected to function as change facilitators within organizations. Participants will examine the basics of organizational development; the methods and strategies of facilitating meaningful and successfully implemented change; the dynamics of organizational change; and the importance of transitions. Ample opportunity will be devoted to skill practice and the application of concepts to participants' own work.
ARL Members: $350 Nonmembers: $420

WOMEN IN LIBRARY LEADERSHIP

Nov. 19 - 21 Safety Harbor, FL

Does the "glass ceiling" research apply to academic libraries? Are there differences in the ways in which men and women lead? In this special 3 1/2-day *Institute*, participants will examine these questions; identify key skills for effective leadership in the diverse workplace; explore personal values and how they fit into the workplace; assess developmental needs; and explore and develop strategies for enhancing personal and professional lives through understanding life/work balance behaviors.
ARL Members: $490 Nonmembers: $550

STATISTICS & MEASUREMENT

Martha Kyrillidou, Program Officer for Statistics and Measurement

ARL SALARY SURVEY 1995-96 RELEASED

According to the recently published *ARL Annual Salary Survey 1995-96* , the university library median beginning professional salary (BPS) for 1995-96 is $27,000; the median BPS for ARL's 11 nonuniversity libraries is $28,162. The median salary figure for university libraries is $41,901 and for nonuniversity libraries is $49,149. The publication is an annual compilation of salary data for professional staff in ARL member libraries.

An analysis of the salary data since 1985 and a comparison to cost of living increases indicates that the median professional salaries' purchasing power has increased 9.4% since 1985 for university librarians. At the same time the beginning professional salary has increased even more outpacing inflation by 11.5%.

Minority librarians in the 95 U.S. university libraries (including law and medical) number 842, and account for 11.32% of ARL's U.S. library professionals. Minority staff are disproportionately distributed across the country, with minority librarians underrepresented in the New England, Middle Atlantic, East North Central, West North Central, East South Central, West South Central, and Mountain regions and overrepresented in the South Atlantic and Pacific regions. The salary differential separating average minority salaries from the average salaries of their Caucasian counterparts is $2,060, or about 4.5% lower for minority staff.

The salary differential between women and men librarians is smaller at the director's level for all three types of libraries (main, medical and law). The difference in the salaries between men and women is 8.1% in the general university libraries, 9.9% in the medical libraries, and 17.4% in the law libraries. At the same time the salary differential between women and men library directors in these categories are respectively: 2.3% in the general university library, 8.8% in medical libraries, and 7.2% in law libraries.

ARL PUBLISHES RATIOS FROM ARL STATISTICS

ARL recently published *Developing Indicators for Academic Library Performance*, a compilation of 30 selected ratios that describe changes in internal library operations, as well as resources per faculty and per student, for ARL university libraries over a two year period. The ratios are based on data from *ARL Statistics* 1992-93 and 1993-94. The report is designed to enable library managers to analyze and compare resources in peer institutions. A brief overview of the context of ratio analysis and the development of performance indicators in higher education and academic libraries is also included.

Higher education in North America is being pressed for greater accountability and improved attention to quality. As legislators move towards "performance incentive funding" and the public becomes more concerned with the balance of costs and benefits, demands on effectiveness and efficiency in higher education become more pronounced. For these reasons, it is important for libraries to define their goals and develop indicators for their performance.

Performance indicators are tools that institutions can develop to demonstrate progress towards accomplishing certain objectives. Accountability and quality improvement are some of the driving forces behind the development of performance indicators. Each institution faces the responsibility to define and describe its own goals, to place them in the context of peer group comparisons, and demonstrate to the public the position it holds in higher education.

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Developing Indicators for Academic Library Performance ($25 for members and $50 for nonmembers) and *ARL Annual Salary Survey* ($35 for members and $65 for nonmembers) are available from ARL Publications, Department #0692, Washington, DC 20073-0692, (202) 296-2296, (email: arlhq@cni.org).

ARL University Librarians 1995-96

	Women	Men	Combined
Average salary	$43,817	$47,372	$45,127
Average years of experience	16.0	16.8	16.3
Total number of filled positions	5,314	2,917	8,231
Minority librarians' average salary	$41,787	$46,415	$43,067
Total number of minority librarians (U.S. only)	616	226	842
Average director salary	$107,904	$110,417	$109,397
Total number of directors	41	60	101
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ARL Activities

G. Jaia Barrett, Deputy Executive Director

ARL Server Offers New Career Resources Service

Starting January 1, 1996, job hunters could access vacancy announcements from ARL member libraries on the World Wide Web. This new service was designed to alert prospective employees to job vacancies and career opportunities within ARL member libraries and provides a new and improved forum for advertising openings.

Over the years, ARL member libraries routinely exchanged job vacancy announcements and sought assistance from their colleagues in other libraries in their recruitment efforts. Now ARL, through its cultural diversity and recruitment program, seeks to provide a more systematic and cost-effective means for the recruitment of talent to research libraries.

The ARL Career Resources World Wide Web site provides electronic access to job announcements categorized by type of library service. These announcements are updated regularly as job status changes.

The address for the ARL Career Resources WWW site is <URL:http://arl.cni.org/careers/vacancy.html>. Further information about the service is available from Allyn Fitzgerald (allyn@cni.org).

Other Resources Available on the ARL Server

The following resources are now available on the ARL Server. For more information about print publications or electronic services at ARL, contact Patricia Brennan (patricia@cni.org) or Dru Mogge (dru@cni.org).

ARL Federal Relations Notebook
<URL:gopher://arl.cni.org:70/11/info/frn>
A resource that informs research library leadership on current issues being monitored by ARL in the federal arena; with monthly updates.

ARL/OMS Training and Organizational Development
<URL:http://arl.cni.org/training/basicOMS.html>
These programs are built on a foundation of the best practices used by libraries and on the latest research in organizational behavior. Each program is designed to help you strengthen your professional capabilities and leadership skills.

ARL Publications Catalog
<URL:http://arl.cni.org/pubscat/pubs.html>
This Catalog contains a list of the most current publications available from ARL in major areas: scholarly communication, library functions and services, and management.

ARL Statistics and Measurement
<URL:http://arl.cni.org/stats/Statistics/stat.html>
The ARL Statistics and Measurement Program serves the objective of describing and measuring the performance of research libraries and their contribution to teaching, research, scholarship, and community service.

Directory of Electronic Journals, Newsletters & Academic Lists
<URL:gopher://arl.cni.org:70/11/scomm/edir>
An abridged version of the premier reference book for journals and academic discussion forums available on the Internet.

Preservation Planning Task Force (PPTF) Report
<URL:gopher://arl.cni.org:70/00/preserv/pptf>
Outlines the preservation needs of research libraries as they plan for the future.

Proceedings of the ARL Membership Meetings
<URL:http://arl.cni.org/arl/proceedings/index.html>

ARL: A Bimonthly Newsletter of Research Library Issues and Actions
<URL:gopher://arl.cni.org:70/11/arl/pubs/newsltr>

Second Edition of Preservation Microfilming Guide Published

A new edition of *Preservation Microfilming: A Guide for Librarians and Archivists* has been published by the American Library Association. The guide was first prepared for ARL in 1987 by a group of preservation experts. Immediately upon its publication, it was recognized as an excellent preservation resource, and it continues to be cited as one of three core texts in preservation microfilming. The first edition went out of print in early 1993, and ARL was urged to prepare a new edition. In November 1993, the OCLC Online Computer Library Center., Inc. awarded ARL a grant to support revision and enhancement of the manual. Lisa Fox, Preservation Consultant, took on the task of revising the manual. This new edition presents the latest information on planning and managing microfilming projects.

The *Guide* covers each phase in the production of preservation microforms, including quality control, storage of master negatives, selection and preparation of materials to be filmed, production, bibliographic control for microfilmed materials, and overall project administration. It offers detailed and well-tested guidance in (among others) contracting for services, estimating costs, technical requirements of the film (related to national standards), and filming and scanning.

The cost for ALA members is $54; $63 for all others (ISBN 0-8389-0653-2; approx. 480 p., ALA order code 0653-2-2036). For additional information, contact Caroline Andrew at 312/280-2426. To place an order, contact Book Order Fulfillment, ALA, 155 N. Wacker Dr., Chicago, IL 60606-1719; 800-545-2433, press 7; fax 312/836-9958.

TRANSITIONS

Library of Congress: The Librarian of Congress has announced several senior level personnel assignments. Hiram Davis will lead an initiative on staff development and transition at the Library. In this new capacity, Dr. Davis will serve as Senior Advisor for Staff Development and Transition reporting to the Librarian of Congress. Lieutenant General Thomas P. Carney, United States Army Retired, was appointed temporarily to the position of Deputy Librarian of Congress. General Carney will also fulfill the role of Chief Operating Officer. Suzanne E. Thorin, Chief of Staff since 1992, was reassigned to a new position of Associate Librarian, with responsibilities for managing and directing the administrative services for effectively supporting Library programs of national and international significance, including Financial Services, Information Technology Services, Integrated Support Services (including Protective Services) and the National Digital Library program. Jo Ann C. Jenkins, Senior Advisory for Diversity since 1994, was reassigned to the position of Chief of Staff. She will also continue to serve as the senior official responsible for providing advice and expertise in guiding the growth and development of diversity within the library and for overseeing all Library efforts to achieve its goals in this area.

Princeton: Karin Trainer was named University Librarian effective July 1. She is presently Associate University Librarian at Yale.

Purdue: Emily Mobley will take a six month sabbatical leave beginning January 1, 1996. Cheryl Kern-Simirenko, Associate Dean and Director of Public Services and Collections, will be Acting Dean of Libraries.

Vanderbilt: Paul Gherman was named University Librarian effective July 1. He is currently Director of Libraries at Kenyon College and served for several years as University Librarian at Virginia Tech.

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Huntington Library: David Z. Zeidberg was appointed Director of the library effective March 1. He has served as Director of the Department of Special Collections at UCLA since 1984.

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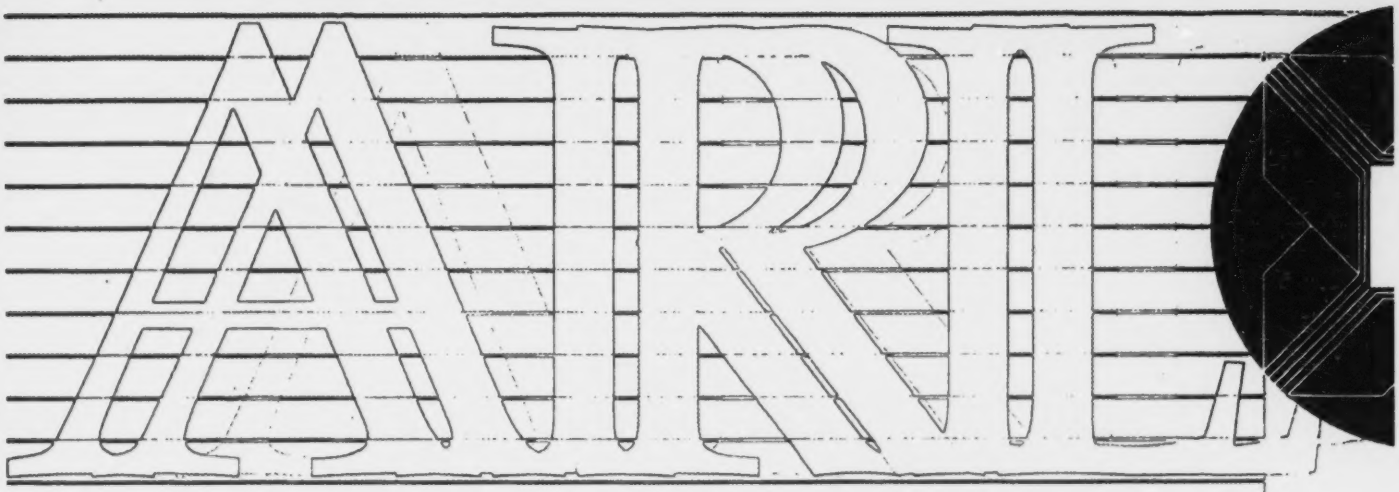

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184 February 1996

AAU ARL Research Libraries Project: Update Report 4
New Learning Communities Conference 6
From Situational Leadership to SuperLeadership 10

CALENDAR 1996

February 8-9	**ARL Board Meeting Washington, DC**
March 25-26	Coalition for Networked Information Spring Task Force Meeting Washington, DC
May 6-7	U.S. National Library Legislative Day and Briefings Washington, DC
May 14-17	**ARL Board and Membership Meeting Vancouver, British Columbia Canada**
July 4-10	American Library Association New York, NY
July 29-30	**ARL Board Meeting Washington, DC**
August 25-31	International Federation of Library Associations Beijing, China
October 13-16	LITA/LAMA National Conference Pittsburgh, PA
October 15-18	**ARL Board and Membership Meeting Washington, DC**

OMS TRAINING SCHEDULE, 1996

For information see page 12.

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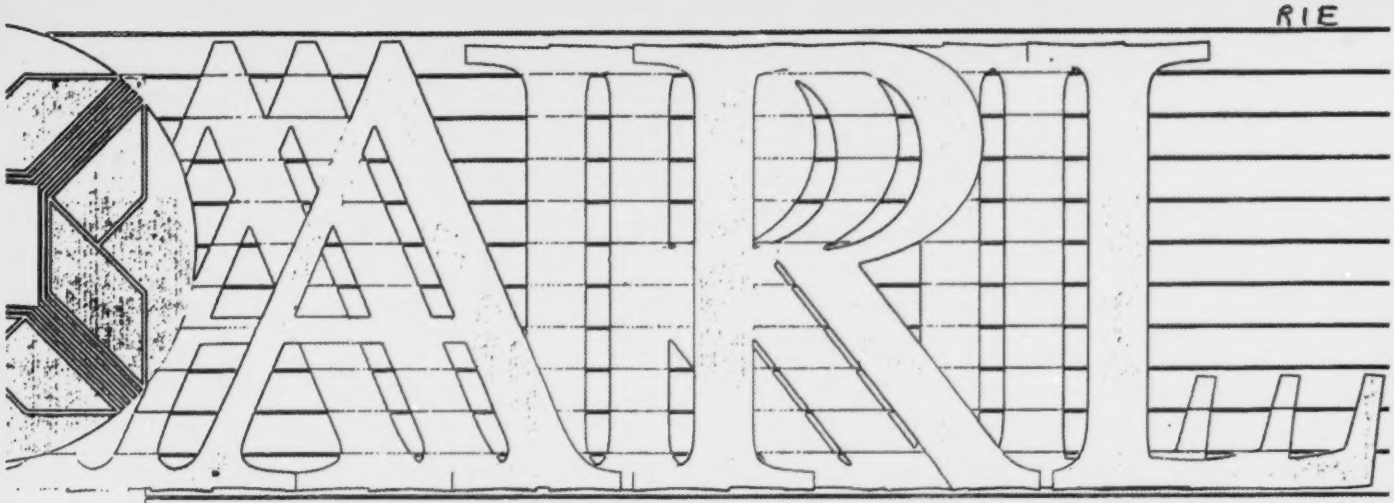


A BIMONTHLY NEWSLETTER OF RESEARCH LIBRARY ISSUES AND ACTIONS

185 April 1996

Fostering a Workplace Climate for Diversity 4
Copyright, Copyright, Copyright 5–9
ARL Directors on an OMS Workshop Experience 12

Current Issues

THE AGE DEMOGRAPHICS OF ACADEMIC LIBRARIANS

by Stanley Wilder, Assistant Dean for Technical and Financial Services, Louisiana State University Libraries

In demographic terms, librarianship in North America is a profession apart. Relative to comparable professions, it contains one third the number of individuals aged 35 and under and almost 75 percent more individuals aged 45 and over. Librarians, particularly academic librarians, are older than professionals in all but a handful of comparable occupations.

The relatively advanced age of librarians is not a new phenomenon. *Library Manpower*, a landmark study of librarianship by the U.S. Bureau of Labor Statistics, established that as of 1970, U.S. librarians were older than their counterparts in most comparable professions. Populations do not age the same way that individuals do; they may grow younger, remain the same, or age. In fact, the average age of U.S. librarians did not change between 1970 and 1990 and in theory, librarianship could have remained older than comparable professions for the next 25 years in a stable, predictable way. However, between 1990 and 1994, librarians in the United States aged rapidly. In 1990, 48 percent of librarians were aged 45 and over, compared with 58 percent in 1994. The aging work force is a well-established phenomenon in North America, but it is unlikely to account for such dramatic change in so short a time.

To understand better this change in the age demographics of librarians, this study drew from a variety of data sources, but is based on two unpublished data sets collected by ARL. These data sets, compiled from ARL's 1990 and 1994 salary surveys, contain basic demographic data, including age, for librarians employed in ARL's 108 university member libraries. The data sets were analyzed with three main objectives in mind: to explain the shape and movement of the ARL age profile, to project retirements, and to examine subgroups within the ARL population for age-related anomalies.

The ARL Age Profile

The unusual shape of the ARL age distribution is anomalous because of its under-representation of young people and over-representation of individuals aged 45 to 49. Possible explanations for these anomalies include the unprecedented increase in the number of librarian positions in the 1960s, the subsequent, equally dramatic, reduction in the rate of hire for ARL libraries, the limited mobility of many ARL librarians, and the transfer of experienced librarians into ARL libraries.

The ARL data reveals that the number of librarians employed grew by 50 percent between 1963 and 1970, 1 percent between 1971 and 1983, and 12 percent between 1984 and 1988, after which there was a leveling off to near stability between 1989 and 1994.

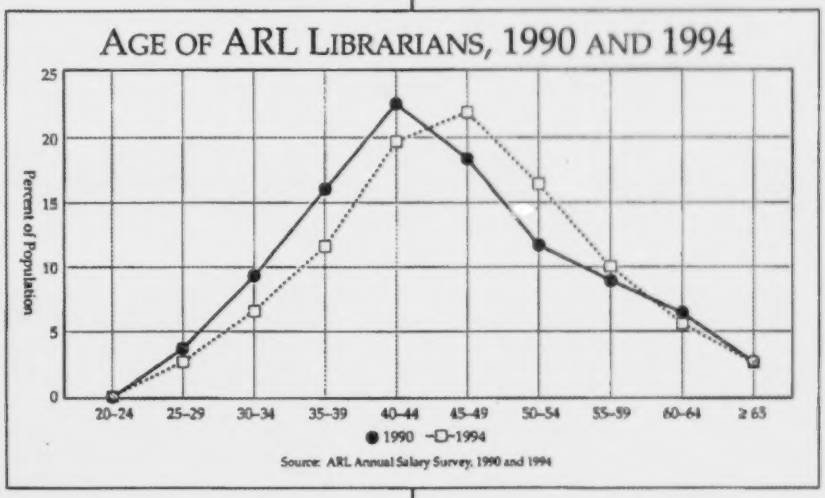
It is important to note that most of the 1960s hires were not baby boomers; they were recruited to service the college-aged baby boom. But the baby boomers who became librarians, most of whom were aged 40 to 48 in 1994, do have an enormous influence on the age curve as they have been hired in disproportionate numbers each year since 1970.

The ARL population also demonstrates limited mobility. Based on 1994 data, 54 percent of all ARL librarians with 20 or more years of professional experience have worked at only one library thus reducing the number and impact of transfers into and out of the ARL population.

Continued

The size and prestige of ARL libraries may have some effect on retaining existing librarians and attracting experienced ones. But there is a basic demographic explanation as well: ARL libraries hire disproportionately from the 40-49 age group because it is unusually large. The pool of available librarians has a disproportionate number of baby boomers in it, and so they will account for an inordinate share of new hires.

The under-representation of younger people in the ARL distribution is explained in part by the low rates of hire in recent years, exacerbated by the relative lack of mobility of experienced ARL librarians that reduces the number of vacancies available for young people. The low number of younger people is also associated with the unusually high age of library and information studies students relative to those in other professional programs.



The movement of the ARL age curve between 1990 and 1994 is extraordinary for so short a period of time and the best explanation is the outsized population of 1960s hires and baby boomers. Between 1990 and 1994, the large number of librarians aged 40–44 moved into the 45–49 age cohorts, and the population's apex moved with them. This group's influence is amplified by the reduction in new hires, from 15 percent of the population in 1990 to 10.8 percent in 1994. The decline in the number of new professionals, from 5 percent in 1990 to 4 percent in 1994, may also have played a role in the movement of the curve.

Many comparable professions experienced the demographic pressures exerted by growth in higher education in the 1960s and the baby boom, yet they did not age between 1990 and 1994. What sets the ARL population apart? One possible answer is that ARL libraries have not hired large numbers of librarians since the early 1970s, and those who have been recruited were relatively old. These two factors increased the already pervasive influence of the 1960s hires/baby boomer group on the ARL population. As the projections below indicate, this group should continue to dominate ARL's age distribution well into the next century.

Retirement Projection

The 1990 and 1994 ARL data, combined with U.S. demographic data, provide the basis for projections on the age profile of ARL librarianship and allow for a reasonable approximation of the rates at which ARL librarians will retire over the next 25 years. The projected movement of the age curve is like a wave crashing on the shore. The peak of this wave consists of the individuals aged 45–49 in 1995, and it moves along with them until 2010, when large numbers of baby boomers begin to leave the profession. As a result, the projection for 2020 reflects a younger population than in 2010. The projection analysis allows for a reasonable approximation of retirements.

Analysis of Subgroups Within ARL Populations

There are a number of interesting anomalies associated with some of the subgroups in the ARL population.

Catalogers and Reference Librarians

One commonly held belief among ARL librarians is that reference librarians are younger than catalogers, and this is indeed the case. In 1994, 35 percent of ARL catalogers and only 27 percent of reference librarians were age 50 and above. Part of the disparity lies in the degree to which the two populations are being refreshed with new hires. While reference librarians constitute 20 percent of the ARL population, they accounted for more than 27 percent of new hires in 1994. Catalogers also received a disproportionate number of new hires, but the margin was much smaller: catalogers were 12 percent of the population and 15 percent of the new hires in 1994. The combined effect of high retirement and low recruitment produced a 13 percent decline in the number of catalogers between 1990 and 1994, compared with a seven percent increase in the number of reference librarians. Considering that the number of new hires was low in 1994, it is clear that ARL libraries are not replacing their retiring catalogers on a one-to-one basis.

Minority Groups

There are two minority groups in the ARL age profile that stand out from the rest: first, there is a highly unusual Asian curve, which peaks in the 60–64 age cohort.

ARL libraries are certain to lose large portions of their Asian population in the very near future, although hire statistics indicate that the Asian population is being refreshed so as to maintain the size of the group.

The African American curve is interesting because it is skewed dramatically towards the younger age cohorts. Lower percentages of African Americans in the older age cohorts suggest that the portion of the population they represent is bound to increase over the next 10 years, even without vigorous recruitment efforts. This suggests that tracking the African American proportion of total new hires is a better indicator of the success of recruitment efforts than a simple percent of total population.

Directors

Directors tend to fall into a narrower range of ages than any other job title category. In 1994, more than 82 percent were between the ages of 45 and 59. While the comparable figure from 1990 is almost identical, the age profiles for the 2 years are quite different. The aging trend that affected the ARL population between 1990 and 1994 apparently affected the director group as well, since the percentage of the population aged 55 and over rose from 25 to 43 percent. The percentage of the population in the 60 to 64 age group is twice that of the population as a whole, but this is not surprising given the experience generally required of directors. However, directors are not more inclined than other ARL librarians to remain in their positions after age 65.

Male ARL directors are substantially older than their female counterparts: 21 percent of male directors were age 60 or over in 1994, compared with just 3 percent of female directors. Thus, retirements in the near future are likely to have the effect of increasing the proportion of female ARL directors.

Canadians

Canadian ARL librarians, who make up 9 percent of the ARL population, are significantly older than their counterparts in the United States. Only 16 percent of the Canadian ARL population is under age 40, compared with 23 percent of those in the United States. At the other end of the scale, 42 percent of the Canadian librarian population are age 50 and over, 20 percent higher than in the United States. It is also remarkable that there are only slightly fewer librarians in the 50–54 age group than the 45–49 group.

How to explain the difference? While some demographic factors, such as the baby boom and the growth of higher education, affected both Canada and the United States, there are many obstacles to applying the same analysis to both countries. The array of federal laws that affect hiring, pension and retirement issues, and census data collection all complicate comparisons, as do differing employment patterns in higher education in the two countries, and library and information science student demographics. A special study would be necessary to understand how these factors affect the Canadian age profile.

PERCENT OF ARL POPULATION EXPECTED TO RETIRE

Years	Percent
1995 to 2000	16%
2000 to 2005	16%
2005 to 2010	24%
2010 to 2020	27%

Conclusion

The age profile of librarianship has important implications for the health and continued viability of the profession. Career choice is a complex matter, but money is one compelling explanation of why librarianship might be attractive to those in mid-life and relatively unattractive to young people. The growing scarcity of young people in the general population may create pressure to increase entry level salaries in librarianship. But libraries might also adjust by moving work once performed by librarians to support staff, or off-site in the form of outsourcing. The demographic aspects of the salary issue may produce a decrease in the number of librarians and an increase in the salaries of those remaining.

Librarianship has a record of successful adaptation, most notably in its adoption of new technologies. The next adaptation will require that librarianship translate its print-centered expertise in the evaluation, selection, organization, and preservation of information to the new digital environment. Competition for this new role will be intense, however, and the advantage will go to groups that can combine traditional "librarian" skills with technical and managerial ones. If librarianship is successful in claiming this role, the new skill mix may well be recognized in the form of expanded opportunity and higher salaries, making librarianship a career of first choice for more young people.

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The Louisiana State University Library supported Mr. Wilder's research as a Visiting Program Officer with ARL's Statistics and Measurement Program. The complete study, The Age Demographics of Academic Librarians: A Profession Apart, *is available from ARL Publications. Order information may be found on the ARL Server <URL:http://arl.cni.org/pubscat/pubs.html>.*

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FOSTERING A WORKPLACE CLIMATE FOR DIVERSITY

by Kriza Jennings, Program Officer for Diversity and Minority Recruitment

What do we have to do to create and foster a workplace climate where everyone feels welcomed, valued, and respected? This is a central question in the diversity discussions I have held in ARL libraries. The response centers on becoming more aware that each individual's behavior towards others contributes to the climate or atmosphere. The most common reason offered for why more attention is not paid to these issues is that "we're too busy." To implement a successful diversity program, however, these three practices—welcoming, valuing, and respecting—must receive regular and deliberate attention.

Welcoming

We usually think of welcoming as something that happens when an individual first joins an organization. People need to feel welcomed regularly throughout their employment. Almost everyone wants to be recognized by others and to know that their presence is important to the organization.

Co-workers feel connected when their presence is acknowledged on a regular basis. It is easy to speak only with certain people, those we consider our friends or those with whom we work most closely. Speaking to those we pass in the hall or as we pass by their desk can help others feel welcome. It is easy to assume that once we've been here awhile, we no longer need to greet each other regularly.

In these busy times, how often do leaders in the organization walk through the library speaking to staff? We need to avoid coming to others only to resolve problems, or to request or pass on information. Employees need to know that people in leadership positions are aware of the work of each unit, recognize that people are working hard, and care about the employees' well-being.

Activities where staff meet and talk outside of their own units is another way to encourage interaction and sharing. Usually such activities are held only once or twice per year; employees often interact only within their immediate department or division most other times.

Focusing on how to make others feel welcome can help to address other issues, such as classism (support staff interacting separately from librarians) or cliques (certain people only talking to certain others). Ignoring barriers that create divisions will not enhance efforts to foster a workplace supportive of a diverse staff.

Valuing

How do co-workers demonstrate that a colleague's contributions are valued? It requires an awareness and knowledge of the roles and responsibilities of others. We must seek examples of work being implemented or services being used. We must take time to let individuals or units know that we have noticed and are appreciative of their work.

Valuing requires us to take an interest in others: their activities, work, and progress. We need to act on what we learn by engaging others about their work. We must listen and respond when colleagues share their progress; this includes offering encouragement when we see colleagues experiencing challenges in their efforts.

Valuing is demonstrating to others that their presence and contributions are noticed, make a difference, and matter in the organization. Some libraries have implemented recognition programs. Usually done only once a year, such programs can give a message that demonstrating value is not an ongoing activity.

Rewards or recognition must have meaning to those to whom it is given. A certificate may be less effective than sharing a break with someone to discuss their work and their contributions; a salary increase may have more impact if someone in a leadership role shares how much the contributions have helped the organization accomplish its goals.

Respecting

In the context of diversity, respecting is finding ways to demonstrate our regard for the quality of work and the contributions of others.

Asking a co-worker questions about their work, or offering observations about what is most impressive in their project is a good way to show clearly that we respect another's skills and talents. Showing an interest in another's projects, being aware of their personal work goals, or just knowing that a co-worker attended a seminar, all provide opportunities for dialogue and exchange.

Supervisors often expect employees to come to their offices or to make appointments to talk about their work; many employees will avoid such meetings because they do not wish to give the appearance of a problem. What employees often are seeking is acknowledgment that their supervisor is aware of their work, and cares enough to ask how things are developing.

This means senior administrators may need to talk directly to staff, otherwise they will not know that leadership has noticed or cares. Some administrators send messages through supervisors, when a direct note, phone call, or email would have a much more positive effect on self-esteem and a sense of personal accomplishment.

While these three factors—welcoming, valuing, and respecting—must be applied to the entire library staff, they are especially important if the organization plans to successfully retain minorities in the workplace. It is challenging to be the only one, or one of few in a minority group. Those in the majority group must make a conscientious effort, on a regular basis, to ensure that minorities are aware and truly believe that their presence and contribution as an employee matters.

Fair Use in Multimedia: Digital Age Copyright

by Stacey Carpenter, Multimedia Communications, Information Technology Division, Emory University

It is torture almost. Ten percent, 30 seconds, 250 words or 1,000 words or the whole thing, or three minutes—examples and exceptions and important reminders—and then if you get all that down, there are still no guarantees. What you have just read are portion limitations from a set of recently proposed *Guidelines for Fair Use in Multimedia.*

It is no wonder that when copyright is mentioned, most people get a far away look in their eyes—far, far away. The Copyright Act, and especially the application of the fair use doctrine, is confusing and ambiguous. It is not really surprising. Look up copyright in your thesaurus and you will find out that it means "control and license," "protection and privilege," "patent and concession." How many words do you know that mean both "you cannot use" *and* "you can use."

To Use or Not to Use

Educators have long brought life to their teaching by engaging students through the use of sound, video, commentary, slides, photographs, art, and text. And, by making it possible to combine different media, new technologies offer faculty many more opportunities for enhancing the texture of their teaching. But wait—while educators are free to present sounds, images, and text as separate entities, some suggest they may overstep the parameters of copyright if they compile such material into multimedia formats without first obtaining permissions from all copyright holders. The already confusing issues that have applied to paper formats are magnified and confounded when applied to multimedia.

Under Section 106 of the Copyright Act, the owner of a copyright has exclusive rights to prepare derivative works. At the same time, the Act's fair use provision in Section 107 may or may not protect professors-turned-multimedia-authors against lawsuits asserting infringement. It all depends on the circumstances of the use. This is the same in multimedia formats as it has been on paper; however, consider the added complications. Most books and journals contain copyright information within the first few pages, and, when it becomes necessary, tracking down permission to use portions of such works is relatively straight forward. But sound, video, and artwork are different.

Take a song for instance. Just as with books, it is not safe to assume that the author holds the copyright. In many cases, it is not the author who holds the copyright, but the publishers. With a song, tracking down copyright could mean having to contact the studio, the songwriters, the singers, and/or the musicians. Combine multiple works of multiple formats, and it can be extremely time consuming to locate all possible copyright holders to all original works. A recent article in *Multimedia Law Reporter* addresses such problems and describes how the Library of Congress recently dealt with this matter in a project to digitize unpublished 50+ year old photos from its collection. Given the problem of identifying copyright holders, the Library concluded that without clear title and authority they faced a risk of violating someone's copyright. Rather than attempting to locate all appropriate copyright holders or their heirs, they decided to modify the project by using works only from the public domain (that is, use works on which the copyright has expired, were produced by the federal government, or have been "dedicated to the public").

And what if a professor, in an effort to reach the most students, wanted to make a multimedia compilation available over a network? Some holders of the original copyright assert that once one loses control over the distribution of a such a work (through distance learning, peer review, critiques, or collaborative projects over the networks, for example) any leeway built into fair use through the course of face-to-face teaching disappears.

Digital Age Guidelines

As academics plunge ahead into multimedia and network arenas, the debates over what can and cannot be done has escalated and grown increasingly confusing. The copyright committee of the Consortium of College and University Media Centers (CCUMC) felt it could tackle some of the problems by compromising with copyright proprietors on guidelines for educators. CCUMC held a satellite conference this past fall to publicize their draft guidelines for fair use in multimedia. To quote the members of the committee, these draft guidelines were prepared with some degree of "bloodletting." Over 600 sites from all sides of the copyright debate downlinked the conference and were able to participate in the row by calling in and faxing questions to the panel.

Dr. Walter Reed, English professor and Director of Emory's new Center for Teaching and Curriculum, says, "the whole set of guidelines seem overbearing and overanxious. My reaction is to ask whose interests are being served—certainly not those of the university. The rationale of the classroom is being overridden by the logic of the marketplace." As to the specific portion limitations outlined in the guidelines, Dr. Reed believes they would "overly restrict the critical discussion of works of art." And, he adds, "the goals of teaching need to be asserted against the goals of business here."

Continued

Rule of Reason

Because there are no hard and fast rules written into the fair use provision, there is room for legal interpretation. This has been a bane on both sides of the debate for those who would rather have rules and regulations spelled out. Fuzzy boundaries make a lot of people very uncomfortable. It takes guts on the part of educators to test the boundaries, especially in a litigious climate and so, the guidelines.

But part of the real genius of the Copyright Act is its deliberate vagueness in defining the boundaries surrounding fair use. The doctrine is "an equitable rule of reason." In other words, it depends on the situation. In determining fair use, the act says only that the following four factors must be taken into consideration: (1) purpose and character of the use, (2) nature of the copyrighted work, (3) amount and substantiality used, and (4) market effect. So, the bane is also the beauty. Hard and fast rules can tie the hands of educators in cases where fair use would allow more freedom than guidelines.

But, says Dr. Michael Bellesiles, an Emory history professor, a lot of faculty "roll over and play dead" when it comes to learning about and understanding copyright and fair use. Dr. Bellesiles, with the advice of a lawyer, has created a core collection of digital documents in American history and has made them available over the campus network. Included are early editions of the *Federalist Papers*, Paine's *Common Sense*, Mary Jamison's 1757 *Captivity Narrative*, and Rufus King's 1819 paper *Against the Extension of Slavery*. All documents in his "American Voices Project" are copyrighted by Bellesiles himself or are within the public domain. He believes there is a "self-mystification" among faculty who convince themselves that copyright is too hard to understand.

Updating the Copyright Act

The same week CCUMC held its satellite conference, the White House's Information Infrastructure Task Force (IITF) released a report that attempts to explain intellectual property law in the context of cyberspace. The report also makes legislative recommendations to Congress to update the Copyright Act for the digital age, though it still urges that the interest groups involved (faculty, educators, creators, proprietors, and commercial producers) come to their own conclusions and agreements.

These proposed revisions to the Copyright Act have set off a debate and spurred the establishment of a Digital Future Coalition (DFC) of scholarly societies, library and educational groups, and corporations that share an interest in having a robust National Information Infrastructure. The DFC believes the IITF's proposed legislative changes are based on "an unbalanced analysis and an incomplete technological understanding" and that, if adopted, there will be sweeping and unintended ramifications.

Congressional hearings are underway this winter and spring. And while Congress seems prepared to recognize that digital formats exist, it would rather leave it to the players to hammer out the details as they've done in the past. CCUMC's copyright committee—made up of lawyers, educators, and proprietors—hopes that its voluntary guidelines receive "validation from Congress." That is, if they are not written into the law, they would at least be written into the record.

Exercising the Fair Use Doctrine

Arnold Lutzker, an attorney representing the library and educational community, said during the CCUMC teleconference that "these [draft] guidelines are sitting down hard on the educational environment...we've got to let educators educate." He stressed that the guidelines represent a compromise and do not set the outer parameters of fair use. Mr. Lutzker attempted to assert that the guidelines represented a "safe harbor," but Judith Saffer, counsel for the Broadcast Music Industry representing the proprietor side of the debate, cautioned that there are no guarantees, even with the guidelines. Annoying, isn't it?

Mr. Lutzker also wrote a summary of the IITF report for the library and educational community. He wrote that "since the pervasive theme of the recommendations is the enhancement of the economic exploitation of copyrighted works, less heed is paid to the public interest aspects of copyright law or established exceptions to copyright rights." Non-profit institutions, such as libraries and universities, may well face increasing difficulty in securing or granting access to works for little or no cost.

As far as CCUMC's draft guidelines go, there is a fear in educational and library circles that by subscribing to such guidelines, educators would be agreeing to follow a narrow interpretation of fair use. Many in the educational and library communities would urge a much broader interpretation of the fair use doctrine to ensure that for non-profit educational purposes, the integrity of the doctrine is preserved. Further, if educators are not fully exercising the right to fair use, the strength of the fair use argument could very well erode.

A year ago, Fred Hofstetter, Director of the Instructional Technology Center at the University of Delaware, wrote in *Educom Review* that "the vagueness of the law and the fear of lawsuits have led school administrators to publish guidelines that are much more restrictive than the spirit of the law intends. Some of those guidelines are especially detrimental to the classroom use of multimedia...It must be fair for teachers to change the medium of a work, electronically combine that work

with other works for didactic purposes, use the work as frequently as needed for students to master the learning objective, and, for students registered in the class, provide access from student computer labs, dorm rooms, and homes over the information superhighway."

The uninitiated might see the copyright literature to be a perfect cure for insomnia. But educators must be aware of the implications of recent activities surrounding copyright and multimedia. Ivan Bender, CCUMC's copyright attorney stressed, "it is crucial that faculty understand the law." Otherwise, they could well be in for a rude awakening.

Sources

Consortium of College and University Media Centers. *Fair Use Guidelines for Educational Multimedia (draft).* The draft of the guidelines discussed during the CCUMC satellite broadcast was dated September 13, 1995; the document continues to be revised based on ongoing discussion within CCUMC. For the current status, contact CCUMC at 121 Pearson Hall-MRC, Iowa State University, Ames, Iowa 50011 (515-294-1811; phone; 515-294-8089, fax).

Consortium of College and University Media Centers. *Multimedia Fair Use Guidelines: The Educational Gateway to the Information Age.* Live via satellite, September 21, 1995. A videotape of the broadcast is for sale from CCUMC; the 1/2" VHS format is $225.

Digital Future Coalition <http://home.worldweb.net/dfc>.

Hofstetter, Fred T. "Patenting Sunlight and Other Foolishness in a Brave New Multimedia World." *Educom Review,* September/October, 1994.

Lutzker, Arnold P. *Commerce Department's White Paper on National and Global Information Infrastructure: Executive Summary for the Library and Educational Community.* September 20, 1995. Available at <URL:http://sunsite.berkeley.edu/Copyright/analysis.html> and <URL:gopher://arl.cni.org:70/00/scomm/copyright/nii/admin/analysis>.

Lutzker, Arnold P. "Statutory Licensing: An Aspirin for Multimedia Migraines." *Multimedia Law Reporter,* September 1995.

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Court Rules on Fair Use for Coursepacks

A recent decision by the Sixth Circuit Court of Appeals in New York has stirred questions anew about the fair use doctrine as it applies to a "coursepack" collection of materials. The decision, rendered on February 12, holds that an off-campus, for-profit photocopy shop may, as a matter of fair use, make coursepacks that include substantial portions of copyright protected books and sell them to students (*Princeton University Press v. Michigan Document Services, Inc.*).

An assessment of this recent ruling was prepared for ARL by Kenneth D. Crews, Associate Professor of Law and of Library and Information Science at Indiana University-Purdue University Indianapolis. Mr. Crews writes that the *MDS* decision "in its reasoning and conclusions ... stands in nearly complete contradistinction to the Kinko's decision of 1991." However, he goes on to caution that this decision "is not the end of this case. We have months and possibly years of future appeals."

"We should at a minimum be wary of simplistic rules. Sweeping requirements of permission for everything in a coursepack are as overbroad as sweeping claims of fair use. In fact, even the Kinko's decision refused to adopt such a complete prohibition on photocopying in coursepacks, and the private settlement in that case allowed at least brief excerpts in coursepacks without further permission. Libraries and other organizations should rely only cautiously on the *MDS* ruling in the development of new policies and practices pending its appeal.... Indeed, the case reminds us that fair use is a flexible and transitory concept constantly in need of regular review and fresh understanding."

Mr. Crews' complete analysis, *The MDS Decision and Fair Use for Coursepacks,* is posted to the ARL Server: Gopher <URL:gopher://arl.cni.org:70/00/scomm/copyright/other/mds.crews> and ARL Web site <URL:http://arl.cni.org/scomm/copyright/mds.crews.html>.

Georgia's Attorney General Writes on Fair Use

The Attorney General of Georgia issued an opinion in February "concerning the scope of the Fair Use Doctrine as applicable to the educational environment of Georgia's schools, colleges and universities." Ray Patterson of the University of Georgia Law School had a hand in preparing this opinion and it is quite favorable to educational institutions. The opinion is available on the WWW <URL:http://www.lawsch.uga.edu/legalwww/fairuseag.html>.
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Prudence S. Adler, Assistant Executive Director-Federal Relations and Information Policy

HEARINGS ON NII COPYRIGHT PROTECTION ACT BEGIN

The House Subcommittee on Courts and Intellectual Property conducted hearings on H.R. 2441, the NII Copyright Protection Act of 1995, on February 7-8. Six panels explored selected provisions included in the bill that amends the Copyright Act as proposed in the Commerce Department IITF White Paper *Intellectual Property in the NII*. There were a wide range of views expressed by both witnesses and Members attending the hearing.

The witnesses were from the commercial sector with two notable exceptions, Cornelius Pings, President of the Association of American Universities and Jeanne Hurley Simon, Chair, National Commission on Libraries and Information Science.

Chairman Moorhead (R-CA) acknowledged that the Subcommittee is at the beginning of a long process and expressed the hope that they will move quickly so that the House will pass H.R. 2441 prior to the end of this session. Given the complexities of the bill and the divergent opinions expressed by witnesses at this set of hearings, a great deal more discussion and deliberation will be required in both the House and Senate before consensus is reached.

As Rep. Moorhead stated in his opening statement, "we are at the beginning of a new frontier in the distribution and reproduction of copyrighted works" and "intellectual property has an impact greater than any other on the economy." Co-sponsor Patricia Schroeder (D-CO) echoed Rep. Moorhead's interest in clarifying the current statute and supported the conclusion in the White Paper that there should be third party liability for copyright infringement. Rep. Boucher (D-VA) called for a "careful balance," that meets the needs of users and providers so that they are "appropriately treated." The balance, he noted, should include protections for providers, address the needs of users, and allow for new services. In addition, he expressed reservations about the way provisions in the bill affected "fair use" and its failure to address the first sale issue or the online service provider liability issue. He also called for revision and amendment to the provisions relating to copyright management information.

Throughout the two days of testimony, Rep. Boucher repeatedly called for a resolution to these issues prior to the bill moving forward, focusing in particular on the online liability issues and the impact of provisions in the bill on distance education. Rep. Goodlatte (R-VA) shared many of Rep. Boucher's concerns and stated that the provisions regarding encryption and copyright management information are "too far-reaching."

Rep. Lofgren (D-CA) was extremely concerned regarding the impact of the bill on education and stated that libraries and schools were "meticulous" about respecting copyright, and that he could not appreciate how "as a practical matter" the bill would work or be effective. Another perspective was offered by Rep. Bono (R-CA) who characterized the Internet as a "tremendous problem" and as "anarchistic." He suggested no one "wants responsibility" in this new environment but also acknowledged that the "transformation of education is a beautiful thing."

Like Committee members, the witnesses expressed widely opposing views on the bill. Edward Black, President of the Computer and Communications Industry Association, was highly critical of the legislation and stated, "any final legislative proposal regarding changes in intellectual property must be designed with public expectations in mind, not despite them. Any new legal construct created or modified to protect the rights of copyright owners must vigilantly take into account the paramount and underlying purpose of the intellectual property laws: to promote the sciences and useful arts." Speaking on the same panel, Jack Valenti, President, Motion Picture Association of America, offered a contrary opinion focused on how to provide greater protections to intellectual property owners, on the "need to resist the clamor for an exemption for online providers," and commented that without additional protections, owners would be left in "cyberspace cold, stripped of our protective armor." Many other panelists endorsed Mr. Valenti's support for the bill.

On a separate panel, David Ostfield, representing the Institute for Electrical and Electronics Engineers, and Cornelius Pings, were equally critical of the bill.

Speaking on behalf of higher education, Dr. Pings stated that "the recommendations of the White Paper, if implemented, would impose the first economic model—a commercial model—onto virtually all intellectual property in the networked environment, posing a serious threat to the continued functioning of scholarly communication in that environment."

Dr. Pings also endorsed the ARL Intellectual Property Statement of Principles as well as a statement submitted for the hearing record by five library associations, including ARL (see below).

In her statement, Jeanne Simon, NCLIS, urged the Subcommittee to "allow time to carefully research and understand the consequences of proposed changes on the general public...[and that] Congress should make a special effort to hear viewpoints from all interested parties concerning the proposed changes."

The Senate Committee on the Judiciary has indicated that there will be hearings on the companion bill, S. 1284, but the Committee has not set a date.

Excerpts From the Library Community Statement on H.R. 2441, The NII Copyright Protection Act of 1995

- *The proposed legislation will greatly strengthen the rights of copyright proprietors in the electronic environment, providing them with near total control over the reproduction, distribution, and use of their works. This level of control is far beyond what they enjoy today and will substantially raise the cost and reduce the flow of information that has fueled growth in research, education, and creativity in American society.*

- *In developing a digital update to the Copyright Act, the existing balance should be maintained by coupling provisions that benefit copyright owners with similar provisions for the benefit of information users. From the Library perspective, the need for this balance is particularly acute in the Fair Use (Section 107) and Library provisions of the Act (Section 108).*

- *Congress should resolve the issue of online service provider liability by amending the law to provide that such providers are not liable for the acts of their users, where they have no actual knowledge of an alleged infringement.*

Also included in the statement is library community recommended language to amend Section 107 "to ensure that robust fair use in the electronic environment in an integral part" of the reformed Act; and to amend Section 108 "to recognize the role of libraries and archives in the digital era," particularly for the purpose of preservation of research material.

The February 8th statement was filed with Congress on behalf of five library associations (Association of Research Libraries, American Association of Law Libraries, American Library Association, Medical Library Association, and Special Libraries Association) and is available in full on the ARL Gopher <URL:gopher://arl.cni.org:70/00/info/testimony/1996/hr2441>.

Communications Decency Act Challenged in Lawsuit

ARL has joined a broad-based coalition, the Citizens Internet Empowerment Coalition (CIEC), in a lawsuit that challenges provisions of the Telecommunications Act of 1996 signed into law by President Clinton on February 8 (see *ARL 184*, pg. 8). The contentious provisions, known as the Communications Decency Act (CDA), make it illegal to knowingly transmit or display "indecent" or "patently offensive" sexual material over the network where minors may be able to view it. The lead plaintiff in the suit is the American Library Association; other plaintiffs include the American Booksellers Association, America Online, Microsoft, and *Wired* magazine. The suit will be consolidated with another lawsuit filed by the American Civil Liberties Union (ACLU) on February 19. A federal judge has temporarily blocked the CDA until a panel of judges hears arguments in the case.

At a press briefing held in Washington, DC on February 26, Bruce Ennis of the law firm of Jenner and Block, legal counsel for the ALA and lead attorney for CIEC, noted that the Internet is vastly different from other communications media, and that "it is necessary to educate the courts to these distinctions in a way that the Congress was not informed." He made three arguments for challenging the constitutionality of the CDA: its wording is overbroad, completely vague, and imprecise; it makes no distinction between materials that may be inappropriate for a very young child versus a seventeen-year-old college student; and it is unnecessary because technologies are already available that provide protection for children without abridging the first amendment rights of adults.

Additional information about the progress of the case, including a full list of plaintiffs and coalition members, is being made available at the CIEC Web site: <URL:http://www.cdt.org/ciec>.

– Patricia Brennan, Information Services Coordinator

Paul Evan Peters, Executive Director

NETWORKED INFORMATION IN AN INTERNATIONAL CONTEXT

Librarians, information technologists, and academics from the United Kingdom and the United States agreed that in today's global information society, there are many opportunities for multi-national collaborations on networked information projects. This conclusion was reached at the *Networked Information in an International Context* conference in London on February 9-10, 1996. The conference, sponsored by the U.K. Office for Library and Information Networking (UKOLN) in association with the Coalition for Networked Information (CNI), CAUSE, the Joint Information Systems Committee (JISC) of the three U.K. Higher Education Funding Councils, and the British Library (BL), was the first joint effort of these groups. The conference facilitated communication about networked information priorities, strategies, and issues among senior managers of information resources. In addition, the conference showcased initiatives in networked information in the U.S. and in the far-reaching and well-organized U.K. initiative known as the eLib Programme.

In her welcome to over one hundred fifty attendees, Lynne Brindley, chair of the U.K. Library Programme of JISC, noted that "all of the boundaries are disappearing," as exemplified by the speakers from both sides of the Atlantic and the many sectors of academe represented on the program: faculty, librarians, information technologists, academic administrators, and others. She commented that JISC has pushed a program featuring information and its management as well as strategies for service delivery. She noted that through membership in CNI's Task Force and contact over the past few years, JISC had been influenced by CNI in the development of its program. Paul Evan Peters, Executive Director, Coalition for Networked Information, also welcomed the attendees and called for those present to ensure the building of an infrastructure that serves the needs of global science and scholarship.

In the keynote address, Sir Brian Follett reported on the achievements, plans, and problems of the University Libraries Review Group of the Joint Information Systems Committee. The primary vehicle for addressing the recommendations of the 1993 Follett Report <URL:http://ukoln.bath.ac.uk/follett/follett_report.html> was the establishment of the eLib Programme, chaired by Lynne Brindley at the London School of Economics and led by Chris Rusbridge at the University of Warwick <URL:http://ukoln.bath.ac.uk/elib/>. This ambitious initiative has a budget of about 15 million pounds over three years. Its objectives are to use IT to improve delivery of information through increased use of electronic library services, to allow academic libraries to cope better with growth, to explore different models of intellectual property management, and to encourage new methods of scholarly publishing. Currently, the eLib initiative is funding fifty projects in the following areas: document delivery, electronic journals, digitization, on-demand publishing, training and awareness, access to network resources, supporting studies, and images.

New initiatives will be in the areas of preprints and grey literature, quality assurance (refereeing), and electronic reserves. Sir Brian closed his remarks on the eLib initiative by noting that the time is approaching when the developers must take the projects from experimental stage to the mass implementation stage, and it will be important to integrate the eLib projects with each other as well as with similar projects outside of the U.K. In this way, we will build the infrastructure for the digital library.

The second plenary session included presentations by Terry Cannon and John Mahoney of the British Library. Mr. Cannon described the long history of research on electronic library projects by the BL and noted that partnerships and joint funding will be a large part of BL's future. He described the success of the UKOLN effort that has resulted in a powerful facility for awareness, advice, research, and standards. He also described the increased interest by the BL in networking projects in all types of libraries. Mr. Mahoney stated that the BL's goal is to be a major center for storage of and access to digital texts required for research by the year 2000. They are supporting pilots and demonstrations to exploit networking and information technology to develop new services. In their vision of the digital library, there will be:

- Integrated access to the BL and other collections
- Organized and indexed digital collections
- Digital collections integrated with traditional library collections
- Increased access
- Assurance of continued availability of information resources
- Staff who have needed competencies to manage and service digital libraries
- Digitization processes for conservation and access
- Balance between intellectual property rights and "fair dealings"
- Substantial investment in digital libraries by the BL and partners

In the closing plenary session, Richard West, Vice Chancellor, California State University and Chair of the CNI Steering Committee, presented his view of the changing costs of information in the networked environment. He described a framework, developed through an Association of American Universities (AAU)/ Association of Research Libraries (ARL) process which examined the potential effect of digital information resources on universities' costs for acquiring, storing and delivering information. Mr. West noted that currently our strategies for the electronic market are based on our practices in the print environment. We expect savings through resource sharing and savings in the acquisitions budget. However, in the networked information environment, savings may be in other areas, e.g. storage, access, and circulation. In addition, improving technology enables conceptual changes in our view of the scholarly communications process. For example, we can eliminate the presumption that the end result of the scholarly communication process is a print publication. In conclusion, Mr. West stated that mixed models of scholarly communication are inevitable in this transition period. He urged the attendees to focus on increasing support for fair use in the electronically empowered network environment, to explore cooperative content agreements with information providers that maximize economies of scale, to keep public information in the public domain, to invest in local campus networks, and to encourage a competitive market in scholarly information content.

At the close of the meeting, Mr. Peters called for more learning by doing, specifically supporting some cooperative and collaborative initiatives between U.S. and U.K. projects. He suggested joint projects, replication of projects, exchanges of personnel, and workshops as possible follow-ups to this meeting. He also encouraged the sponsors to consider addressing such cross-cutting perspectives and issues as economic models, strategic standards, assessment and performance measures, access by the disabled, preservation, new learning communities, and collaboration. Finally, he called for the next steps of the sponsors to be carried out in a broader international context.

Following the main meeting, invited delegates from the U.S. and U.K. met to evaluate the completed meeting and to discuss next steps. These leaders expressed commitment to the expansion of partners to involve additional countries, voiced a strong desire for joint projects and exchanges of personnel, and expressed enthusiasm for building on the success of this conference.

– Joan Lippincott, Assistant Executive Director

PROJECT BRIEFINGS

Electronic Journals

- The CLIC Electronic Journal Project by Henry Rzepa, Imperial College, U.K.
- Internet Archaeology: Overcoming the Obstacles and Using the Opportunities by Seamus Ross, The British Academy, U.K.
- From Ephemeral to Integral: Collaborative Management of Electronic Journals by Barbara Allen, CIC Center for Library Initiatives, U.S.

Teaching and Learning

- New Learning Communities in the Networked Environment by Jana Bradley, Indiana University at IUPUI, U.S.
- Technology Enhanced Language Learning: A Consortium Approach by Graham Chesters, The TELL Consortium, University of Hull, U.K.
- IT POINT: Networking in the Community by Gulshan Kayam and Sue Turner, IT POINT Project Solihull, U.K.

Management and Service Issues

- Information Services: Threat or Opportunity by Richard Field, University of Edinburgh, U.K.
- Empowering the Millenium Citizen: Public Library Networking Initiatives, The Library Association Millenium Project and Project EARL by Philippa Dobson, LA/EARL/UKOLN Joint Public Libraries Networking Initiative, U.K.
- Collaboration: Partnerships between Librarians and Information Technologists by Joan Lippincott, Coalition for Networked Information, U.S.

Networked Information Discovery and Retrieval

- A Summary of the Findings of CNI's NIDR Research Initiative by Clifford Lynch, University of California, Office of the President, U.S.
- The Subject Approach to Network Navigation by Nicky Ferguson, University of Bristol, U.K.
- Resource Organization and Discovery by Lorcan Dempsey, UKOLN, U.K.

Technical Issues

- Electronic Support for Scholarly Communication: Developing an Electronic Community by Dov Gabbay, Imperial College, U.K. and Hans Jurgen Ohlback, Max Planck Institute, Germany
- Administrative Computing Meets the Web: Discover the Possibilities by David Koehler, Princeton University, U.S.

DIRECTORS OF THREE MONTHS AND 22 YEARS SHARE AN OMS WORKSHOP EXPERIENCE

by Michael Ridley, Chief Librarian, University of Guelph and Murray Shepherd, University Librarian, University of Waterloo

From November 27 to December 1 we attended an Office of Management Services institute, *Library Management Skills Institute II: The Management Process*. This is notable since it was the first time in the experience of the two instructors (George Soete and Kathryn Deiss) that one, let alone two, library directors had been at any of their management institutes. Apparently attendance by directors is rare. Our experiences during the week suggest that there is considerable value for directors in this forum.

We both attended with senior management staff from our own and several other universities. This mixing of directors with their own management group made the week challenging and ultimately very rewarding. In previous workshops we had often heard staff from other libraries say "I wish my director or boss had come to hear these things." In our case the boss was there, the boss did hear the same things, and the boss was a co-learner.

The result was an important team-building experience. This shared experience has already been drawn upon as a touchstone to good ideas and management processes.

The First Day

Having said these positive things, we have to admit that the first day of the *Institute* was trying. Our presence caused some tension. Even our own staff, who were aware that we would be there, were uneasy; they expressed concern about being open, honest, and free with their director present. Some other participants may have been cautious too. There was some concern that a director would come to such institutes; some were looking for an ulterior motive.

One participant said it showed "courage" by the directors. This comment actually made us uneasy. What were we in for? As a result, on the second day, the group agreed to a new ground rule for the week: the level playing field.

Team Building

At the libraries of both the Universities of Guelph and Waterloo there is extensive management restructuring in process. Waterloo is moving slowly but deliberately toward a team-based management structure. Guelph's new director (three months) is in the initial stages of an organizational renewal program to introduce new structures and processes to the library. We had the additional advantage of having worked together and having explored contemporary leadership ideas during the previous five years.

The OMS *Institute* was an opportunity for senior management groups to work together, to learn common skills, and to test key concepts and ideas that could form the basis of the management philosophy of both organizations.

Inter-Institutional Cooperation

Because many participants were from three neighboring institutions (Waterloo, Guelph, and Wilfrid Laurier) that are engaged in an innovative program of inter-institutional collaboration, there was an added dimension to the *Institute*.

The *Institute* offered an opportunity for staff at the three institutions to observe each other in operation and to see the commitment of the senior executives to collaborative learning and open processes. It was an important, visible opportunity for the directors to "walk the talk."

Mental Models

Much of the *Institute* was framed by ideas of the learning organization as articulated by Peter Senge (*The Fifth Discipline*). While we were familiar with Senge's work, it was fascinating to see it revealed during the week.

It was particularly interesting to address issues surrounding the idea of mental models (assumptions we have about how things work or how we should act). Mental models have a strong effect on how we manage. Recognizing and understanding our own mental models are significant personal challenges.

The OMS *Institute* also presented the concept of the "single loop learner" (as described in Chris Argyris' article "Teaching Smart People How to Learn"). The main idea expressed here is that certain behaviors are reinforced by success. These same behaviors can become unconscious barriers to learning. Clearly this speaks specifically to directors. This was revealed in our sessions, with our staff as both participants and spectators, as we confronted our own mental models. We wrestled, sometimes almost helplessly, with assumptions that lead us into actions or decisions that were ultimately counterproductive to the role-playing exercise or to the group work we were engaged in during the sessions. It was exactly the right kind of exposure and learning experience. Our mental models were being gently, but resolutely, dismantled.

Co-learners

The best learning occurs in these intense moments of revelation or flashes of understanding and awareness. Unquestionably this was of great personal value to us; it was also important that this experience occurred in the presence of our senior management group. We

recognized, first hand, the textbook declaration, the importance of lifelong learning. We realized that all staff must continually learn, retool themselves, and open up for new experiences and new ideas, including us.

Some also might say we publicly displayed our shortcomings or revealed weaknesses. For our staff and others in the institute it helped to build stronger relationships, relationships built on trust gathered through challenging collective experiences.

Did we feel vulnerable or exposed? Did we feel defensive or abused (especially when the group engaged in a lively round of "library administration bashing")? No, quite the opposite. Our leadership roles were strengthened and enhanced by becoming co-learners.

Why don't more directors attend these institutes? In part we think it is because they feel they already know the material (or should know the material). A more significant barrier is concern about learning with other staff members and risking the public revelations that inevitably come during intense and rewarding learning experiences.

Why should more directors attend? We all recognize that it is important for directors to continually learn. More important, however, it is worthwhile for senior management and administrative groups in a library to engage in common, team-building experiences focused on real issues. The OMS *Institutes* are ideal forums for these opportunities.

Training Institute for Library Development Officers

to be hosted by the University of Colorado at Boulder, October 21-23, 1996

The ARL/Office of Management Services (OMS) and the Development Officers in Research and Academic Libraries (DORAL) are sponsoring a management skills institute for development officers in research and academic libraries. Designed to help fund-raisers at such libraries acquire the basic skills to meet their responsibilities, the program will alternate seminars on development issues with workshop sessions on the management skills related to those issues.

Maureen Sullivan, OMS Organizational Development Consultant, will conduct the management skills workshop sessions and three DORAL members who are recognized experts in fund-raising will conduct the development issues seminars. The DORAL experts are: Joan M. Hood, Director of Development & Public Affairs for the University of Illinois Library System at Urbana-Champaign and an international consultant; Bill Mott, formerly Director of Development for Vanderbilt University Library, currently a principal in the consulting firm, Library Funding Associates; and Richard White, Certified Fund-Raising Executive (CFRE) and Director of Development for Libraries & Information Technology at Emory University.

This is a prime opportunity for networking with "the experts" and your peers. Please join us at this exciting program to be hosted by the University of Colorado at Boulder, October 21-23.

For information or registration, contact Christine Seebold, ARL/OMS Training Program Assistant, phone (202) 296-8656, fax (202) 872-0884, email cseebold@cni.org.

Technical Services Workstations Double Cataloging Production

As libraries increasingly find themselves operating more like businesses and under pressure to improve their efficiencies, investing in powerful Technical Services Workstations (TSWs) has come to make more and more sense from every perspective. TSWs are defined as a networked personal computer that has been customized for use in technical services departments, but which also includes the entire suite of standard administrative applications. SPEC Kit #213 *Technical Services Workstations* documents the number of titles cataloged annually: the 37 responding institutions with TSWs averaged 65,073, compared to 31,478 in the 21 without. Supporting documentation relating to hardware, software, and ergonomic considerations are also included.

This Kit was compiled by members of the Program for Cooperative Cataloging Standing Committee on Automation: Judith Brugger, Cornell University; Michael Kaplan, Harvard University; and Joseph Kiegel, University of Washington.

Please consult ARL's online Publications Catalog <URL:http://arl.cni.org/pubscat/pubs.html> for complete ordering information.

–Laura Rounds, OMS Program Officer for Information Services

Martha Kyrillidou, Program Officer for Statistics and Measurement

SERVICE TRENDS CHARTED IN NEWLY RELEASED *ARL STATISTICS*

by Kendon Stubbs, Associate University Librarian, University of Virginia

The newly published *ARL Statistics, 1994-95* includes six questions about public service activities that have been collected in the past through the ARL Supplementary Survey: circulations (initial, total, and reserve), reference transactions, and library instruction (group presentations and participants in these presentations). With the recognition that the success of an academic library is dependent not only on the resources it houses, but also on how the resources are used by customers, the measurement of service has become increasingly important. Together with the continuing interlibrary loan questions, the new service questions describe a range of public service activities in ARL libraries. Readers should be cautious about using these data for institution to institution comparison because different local policies can influence the measurement of such activities. For example, loan periods vary widely among libraries, and the number of circulation and ILL transactions a library reports depends to some extent on the length of loan periods.

With this in mind, however, it is useful to look at the growth of services in ARL libraries. The accompanying graph illustrates that there has been a significant increase in services delivered to users, without a corresponding increase in the staffing of libraries. It is clear that user demand for research library services has risen considerably faster than numbers of both users and library staffs. During the 1990s, ARL library staffs and their primary customer groups of students have remained essentially constant. But in only five years, interlibrary borrowing for students and faculty has risen by more than a third, instructional sessions in libraries by a third, and circulations and information contacts by around 15 percent.

One could speculate that the increasing availability of information in new electronic formats allows libraries to be more efficient in meeting some of the information needs of students while also enhancing the ways in which libraries provide service. For example, online catalogs and new information tools such as CD-ROMs have made library resources more easily accessible to library users, consequently increasing circulation of materials and general demand for other library services.

Perhaps most interestingly, by 1995 one of every four instructional sessions in a typical ARL library had been added since 1991. The 108 university library members of ARL provided 68,000 teaching sessions during 1994-95. If we assume that each session was an hour or more, then, on the average, the typical ARL library offered the equivalent of 14 three-credit-hour courses last year.

These increases in service activities were carried out by approximately the same number of staff as in 1991. In five years, library staff accommodated increases of 13,000 instructional sessions, almost 10 million additional circulations, and almost 2 million additional requests for information assistance from students and faculty. Clearly, restructuring and re-engineering of staff functions has been underway in ARL libraries to support increases of such magnitude in staff workloads.

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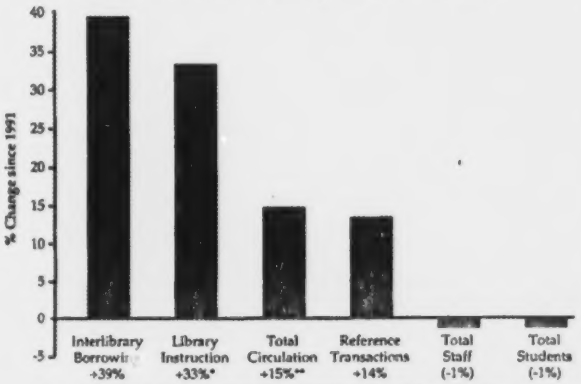
ARL Statistics, 1994-95 was published in March and can be purchased from ARL Publications. Please consult ARL's online Publications Catalog <URL:http://arl.cni.org/pubscat/pubs.html> for complete ordering information.

SERVICE TRENDS IN ARL LIBRARIES, 1991-1995



*Library Instruction represents the number of Group Presentations
** Total Circulation includes Initial and Renewals but excludes Reserve Circulation

MEDIAN VALUES FOR TIME-SERIES TRENDS

Year	Interlibrary Borrowing	Library Instruction	Total Circulation	Reference Transactions	Total Staff	Total Students
(No. of Libraries)	(106)	(87)	(87)	(83)	(106)	(106)
1991	10,342	512	501,128	131,441	271	18,290
1992	11,318	535	536,039	132,574	267	18,273
1993	12,486	620	559,383	139,044	263	18,450
1994	13,996	569	570,671	152,706	266	18,287
1995	14,403	683	575,731	149,326	267	18,089
Annual average percent change	8.6%	7.5%	3.5%	3.2%	-0.4%	-0.3%

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G. Jaia Barrett, Deputy Executive Director

Upcoming Workshops

The Role of Assessment in Advancing Diversity for Libraries
May 2-3, 1996 Washington, DC
Responds to the interest in and the need for assessment strategies in libraries, and applies this expertise to developing diversity programs for library personnel. The assessment process offers an opportunity to understand how diversity is viewed and dealt with in the library, assists in identifying where there is a need to strengthen skills or focus to advance a diversity agenda, and provides a baseline for measuring future progress. Workshop leaders: Kriza Jennings and Martha Kyrillidou.
$250 ARL Members, $300 Nonmembers.

Conducting User Surveys in Academic Libraries
July 5, 1996 New York, NY
Presents the basic concepts and steps in conducting a user survey: defining objectives, sampling, measurement scales, logistics, data analysis, and report writing.
$125 ARL Members, $175 Nonmembers

Statistics for Librarians
September 26-27, 1996 Washington, DC
Introduces librarians to basic statistical concepts including central tendency, variability, and inferential statistics.
$300 ARL Members, $350 Nonmembers

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ARL, 21 Dupont Circle, NW, Washington, DC 20036
Phone: (202) 296-2296 **Fax:** (202) 872-0884

Transitions

Nebraska: Joan Giesecke, formerly Associate Dean of Libraries, was named Dean of Libraries effective March 1.
Notre Dame: Robert C. Miller, Director of Libraries since 1978, announced he will retire as soon as a successor is found.
Rutgers: Frank Polack took a leave of absence for reasons associated with his health; Marianne Gaunt, Associate Librarian for Research and Undergraduate Services, was appointed Acting University Librarian.

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NINCH: David L. Green, Director of Communications, New York Foundation of the Arts, was appointed the founding Executive Director of the National Initiative for a Networked Cultural Heritage (NINCH), effective March 8. The initiative seeks to encourage the development of the GII as a means to preserve, access, and creatively build on the rich diversity of the nation's cultural heritage. With the support of the Gladys Kreible Delmas Foundation, ARL joined for the first year of the initiative. The formation of NINCH is the result of long standing collaborations among the Coalition for Networked Information, the American Council of Learned Societies, and the Getty Art History Information Program.

Transitions at ARL

Three key members of the ARL staff have announced plans to leave the association.

Kriza Jennings is resigning as Program Officer for Minority Recruitment and Cultural Diversity effective June 30, 1996. Kriza came to ARL in 1990 to help establish a new and ongoing capability to attract and retain talent for research libraries and to help these institutions thrive in an increasingly diverse cultural and racial environment. During her 6 years at the Association she has worked with a variety of member-leader groups to define what is needed, to secure the financial resources, and to work directly with member libraries to make it happen. With Kriza's leadership, this set of issues has emerged as a key element in the ARL agenda.

Susan Jurow is resigning as Director of ARL's Office of Management Services to accept the position of Executive Director of the College and University Personnel Association, effective June 1, 1996. Susan has been at ARL since 1984 when she was recruited as a Training Officer for OMS. During her 11 years at ARL, she has held a number of positions and served as the point person for a wide range of projects. Of special significance was her leadership in fostering the development of ARL's diversity and minority recruitment program; most recently, she served as Acting Director of ARL's Office of Scientific and Academic Publishing.

Jutta Reed-Scott is retiring as Senior Program Officer for Preservation and Collections Services at the end of July 1996. During the past 13 years, Jutta has held a series of positions and has made crucial contributions to the ARL agenda. She oversees the operation of the Preservation Planning Program and has served as project director for the multi-year effort to create machine-readable records for the National Register of Microform Masters. Most recently, she directed ARL's Foreign Acquisitions Project and is playing an active role in implementing the three AAU/ARL global resources demonstration projects.

Collectively, these three women have worked for the Association for over 30 years. Their contributions to ARL's agenda and programs are significant and long-lasting, leaving a strengthened legacy within the Association and within North American research libraries.
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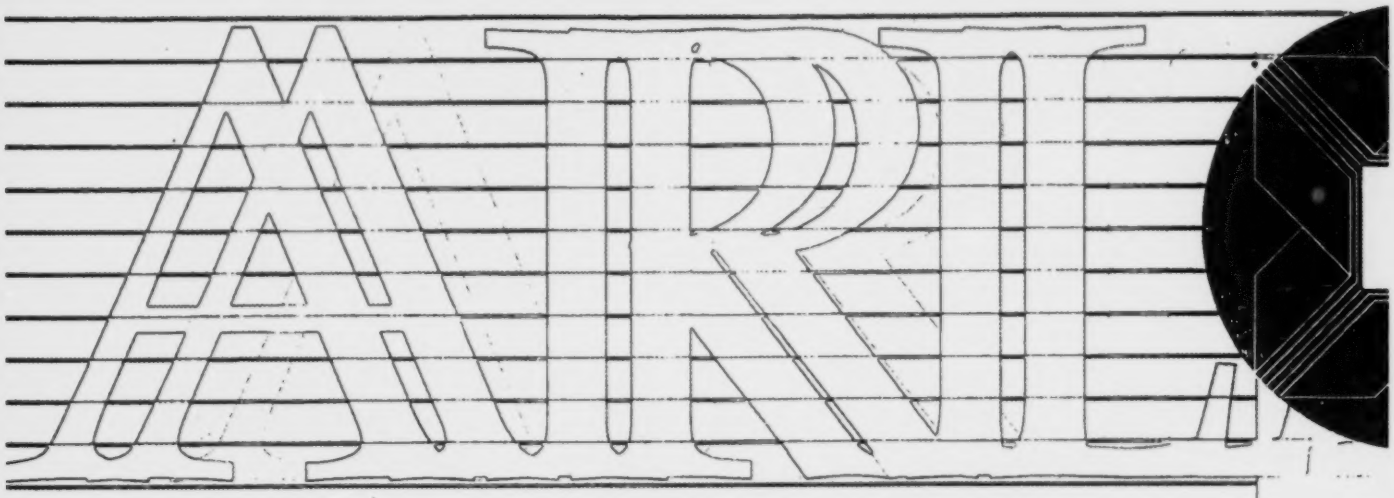

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185

Fostering a Workplace Climate for Diversity 4
Copyright, Copyright, Copyright 5–9
ARL Directors on an OMS Workshop Experience 12

April 1996

CALENDAR 1996

May 6-7	U.S. National Library Legislative Day and Briefings Washington, DC
May 14-17	**ARL Board and Membership Meeting Vancouver, British Columbia Canada**
July 4-10	American Library Association New York, NY
July 29-30	**ARL Board Meeting Washington, DC**
August 25-31	International Federation of Library Associations Beijing, China
October 13-16	LITA/LAMA National Conference Pittsburgh, PA
October 15-18	**ARL Board and Membership Meeting Washington, DC**
November 18-25	NASULGC Annual Meeting San Diego, CA

ARL PUBLISHES PROCEEDINGS

ARL has published *Proceedings of the ARL 124th Annual Meeting, The Research Library the Day After Tomorrow*. The book contains papers or summaries of the program held in Austin, Texas, May 1994 on the transformation of all facets of scholarly communication and how this will affect research libraries. Included is Richard Lanham's well-received paper on "The Economics of Attention" and the panels, membership discussion, and adoptation of the AAU Research Libraries Project recommendations. *Proceedings* are available by standing order ($45 for members, $70 for others) or individually ($25 for members, $35 for others). Please consult ARL's online Publications Catalog <URL:http://arl.cni.org/pubscat/pubs.html> for complete ordering information.

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186 June 1996
Trends in Expenditures for Library Materials 4
The Networked Information User 6
Conference on Fair Use 8

Current Issues

UNIVERSITIES AS AGENTS OF CHANGE

by David W. Strangway, President, University of British Columbia

Editor's Note: In a keynote address delivered May 16 to a joint program of ARL and the Canadian Association of Research Libraries, Dr. Strangway reminded the audience that the changes we in higher education now face are of our own making. His remarks include examples of how the foundations for our knowledge-intensive, interconnected world came from the research undertaken in laboratories and universities. Applying modern chaos theory to research organizations, he goes on to cite libraries and network technologies as essential contributors to new forms of communication within and among research enterprises and as the source for organizational agility and responsiveness.

Universities are often cited as among those institutions most unwilling to change. I thought first I would develop a slightly different theme—universities as agents of change that undergo continuous change. Are we on the receiving end of change or are we in significant measure the cause of change?

In thinking of continuous change, I asked myself what changes take place in one of our most important functions—teaching. What would the catalogue description of a course such as Introductory Physics 100 look like in 1996? It would probably say "This course is an introduction to the principles of modern physics. These principles form the underpinning of today's scientific method; they build on a knowledge of elementary calculus. Examples from the world around us are used to illustrate these principles."

I then imagined what the description of that course might have been like 81 years ago, the year that the University of British Columbia (UBC) opened its doors. The course description could well be identical and it could have been the same in 1925, in 1935, and in every year to the present. And yet think of the changes in that time to the actual teaching in the course. Relativity, quantum physics, solid state physics, low temperature physics, the uncertainty principle, lasers, and on and on; all subjects that were not even on the horizon in 1915.

Even in a few years, the content of this course will change dramatically. It will be different every year and yet always based on fundamental principles. And the same could be said for every other discipline as the discipline moves ahead, sometimes changing in spurts, sometimes in leaps and bounds, but always continuously changing.

It has been estimated that 30% or more of the U.S. gross national product can be traced directly to the revolution in modern physics in the 1920's. Think, for example, of some of the major events that have been the basis for today's information revolution. The first major step was the remarkable advances of the 1920's with the discovery of quantum processes and the development of wave mechanics as an alternate way to describe the nature of matter.

This fundamental and exciting period challenged all conventional thinking. The research certainly had nothing whatsoever to do with the search for practical results. As time went on, the first glimmerings of solid state physics were developed and the energy band gaps that became the basis for such devices as the transistor. But these were not possible without the incredible progress made in the preparation of ultra-pure

materials and the ability to dope these materials with controlled and very minute amounts of impurities. The metallurgical and materials developments of the 40's made it possible to manufacture solid state devices.

In the late 40's, a whole new field of communication theory was developed to try to get the maximum amount of information into radio or telegraphic communications. Thus was laid the foundations for the remarkable digital breakthroughs of the 50's and 60's. Whole new industries were built on these research developments, carried out initially without practical purpose or expectation of economic returns. In my own field of geophysics, the digital revolution that came out of the universities created whole new ways of sounding the earth for its resources. This revolution made Houston, London, and Calgary the largest computing centers in the world. And yet today, we take for granted our ability to communicate around the world instantly, and we have massive computing power in our own possession. All of these developments can be traced to research carried out in the universities of the world.

This research has become the basis for a massive share of the world's economy and can all be traced through dozens of chains of seemingly irrelevant research carried out in university laboratories around the world. The roots of the revolution in information technology comes directly from the universities.

Today, we read almost weekly about new breakthroughs in biomedical research, based on our ever-improving knowledge of genetics. Major industries have been built on the new biotechnologies but again, all of this can be traced to basic research, carried out in hundreds, if not thousands, of laboratories around the world. None of the pioneers could have had any idea of what changes in our world would be unleashed by their work or that the economies of the world would be driven by them. Again, the biotechnology revolution is firmly based in university research.

But we need not restrict our thinking to scientific revolutions. New ways of thinking in the social sciences and humanities are causing us to reexamine our approach to policies, to values and ethics, to new ways of learning and to being sure we understand the best of yesterday to illumine today, and to help us be ready for tomorrow. Some years ago I was in a traffic jam behind a bus in England. A large billboard proclaimed "How like the British to preserve the best of the past while adopting the best of the new." I thought, "What a good description of universities," except I would have added "while creating the best of the new."

There seems to be a perception that universities are unresponsive, unchanging institutions. Nothing could be further from the truth. Through the centuries, and certainly through the 20th century, we have been the principal agents of change. It is our research and our faculty members and our graduates who have been, and continue to be, the cause of those changes that have driven us into the knowledge-intensive, interconnected world. Every time you use a portable computer or use a modern medical breakthrough or, for that matter, travel by car or plane, stop and think about the thousands of university faculty members and their students who made all this possible.

This province is very proud of its newly found bridges to the Pacific. There is no doubt of this significance. But in the 1930's, UBC started its first courses on Japan and China. Nobody told UBC that this was important. My predecessors at UBC understood very well that Canadians must be increasingly aware of other nations and become excited about the intellectual challenge of learning and understanding about Asia and its languages and cultures. Even here, we can see that universities have been the basis for the change driving us to focus on the Pacific. This knowledge came directly from the studies carried out by our predecessors in the universities.

I cannot predict the changes that we will face in the months, years, and decades ahead. If I knew what they were going to be, it would be too late to do anything about them anyway. Instead, what I do know is that what your and our faculty members are doing today will be the basis for the next generation of changes whatever they may be.

This is an interesting time indeed as companies and governments are downsizing. I was intrigued by the words of Matt Barrett, Chairman and CEO of the Bank of Montreal. He observed that any company that needed massive downsizing was a company that had not been well managed. We, at UBC, are especially proud of the fact that 40% of our faculty were hired in the last 10 years. This is massive change and yet it represents constant renewal and change. Four percent per year is a very sensible rate of renewal and we have not massively downsized for the simple reason that our people are all working hard and effectively.

I was also intrigued by recent words by Peter Senge, author of *The Fifth Discipline.* He pointed out that companies are becoming more like universities as they delayer their many layers of management, as they focus on their people and increasingly empower their people. I can't think of anyone more empowered than a tenured faculty member.

But this is the very basis of creativity, the academic freedom to create change without fear of retribution, and to dedicate oneself to those esoteric subjects that will be the unpredictable basis for tomorrow's change.

But none of this is to say that we do not have to continue to be sure that our people have the tools for the change.

A very interesting concept linking modern chaos theory to organizations was published recently. Chaos theory is quite technical but it describes the characteristics of self-organizing systems. Examples range from the microscopic in the physical and biological worlds to the giant. For example, it explains how galaxies, with their great orderly patterns, arise from random clouds of gas or how some of the wonderful biological systems become ordered. The key to deriving order from chaos to develop a self-organizing system is communication. If you think of this model then as applied to organizations, the common link that creates order out of all the things that faculty members do in their teaching and research, is communications. Here, of course, is the central role of the library and all the modern technologies that are required to create this needed communication. The network associated with the library is what empowers each individual and, in turn, this empowerment, linked by information and communication, is what creates order out of chaos.

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What I find attractive about this concept is that it describes the characteristics of a university very well and ensures that we are not a top down organization as in a classic corporate command and control model. Rather, we already function as a delegate and empower organization; and what makes this work is communication. In turn, the library is the key element of this communication strategy in all of its manifestation. As I see it, this is the source of our agility and our responsiveness as the corporate world is only now discovering.

I was interested to see in the mission statements of both your organizations the focus on an effective agility strategy. I know that both ARL and CARL are proactive, looking to see what is coming, and working to shape the forces of change in a way that helps the university achieve order out of chaos. This is key to me and my colleagues (your presidents) in achieving our missions for our universities.

This understanding of this communication is being developed by librarians through consortial library groups that must include the various university community members—faculty, students, deans, department heads, and even presidents.

This discussion is beginning at UBC through a mechanism of Library Advisory Committees for each of the faculties, and through university-wide committees which focus on change. We now have committees looking at rights and responsibilities in the communication age and at infrastructure designed to make electronic materials available to all. Although this particular activity began within the confines of our own campus, as it has on many of your campuses, it began with a belief in the importance of broadening the communication beyond the university.

One concrete result already underway is the collaboration between the University of British Columbia and Simon Fraser University, to co-sponsor a three-day national conference on scholarly communication, March 6-8, 1997. The purpose of the conference is to bring together the key players in Canadian scholarly communication including researchers and scholars, journal editors and publishers, technical consultants, CARL, AUCC, SSHRC, NSERC, Industry Canada, Department of Canadian Heritage representatives, learned societies, faculty associations, communications law scholars, senior librarians, and university administrators. The goal of the conference is to share knowledge, skills, and technology, and to provide the foundation for a national strategic plan for scholarly communication. A policy-drafting committee will be nominated by the conference. The strategic plan will be designed to enhance the primary function of scholarly communication: to share knowledge.

CARL and the Association of Universities and Colleges of Canada (AUCC) published a discussion paper, "Towards a New Paradigm for Scholarly Communication," in September 1995. It focuses on the current "crisis" in scholarly communication based on print media arising from the following problems: copyright surrender to publisher; escalating cost of subscriptions for work done for free largely by the readership of the journals; long delays between research and publication; and a proliferation of print journals and limited library serials budgets. The paper proposes a number of actions to help alleviate these problems in the areas of copyright reform, intellectual property policies of universities, and tenure and promotion policies. It concludes that collaboration is a necessary component of reform, and advocates promoting "partnerships which apply new networking technologies" within universities as well as outside, and promoting "efficient resource-sharing between universities in Canada and abroad."

Collaborative strategies such as these I've described are needed to build the understanding that is the first step to gaining acceptance of and support for change. Understanding is the basis of consensus building, which is needed for effective change to take place. It may even lead to enthusiasm! As for leadership roles—leadership has to be and can be everywhere and is everyone's responsibility in a self-organizing system.

STATISTICS & MEASUREMENT

Martha Kyrillidou, Program Officer for Statistics and Measurement

TRENDS IN EXPENDITURES FOR LIBRARY MATERIALS

In a previous column in *ARL*, Kendon Stubbs described the increasing demand for library services as documented in *ARL Statistics 1994-95*. While the demand for library services is increasing, library budgets are constrained by the pressures of increasing costs for library materials.

ARL data show that since 1986 the unit price that research libraries paid for serials increased by 138%. In spite of a doubling of the serials budget during this period, the number of serials acquired actually declined by 8%. During the same decade, ARL library expenditures for monographs increased by 22%. However, when combined with a unit price increase for monographs of 58%, the number of monographs purchased declined by 23%.

Some form of "serial pricing problems" have recurred throughout the 20th century but the last decade has seen such extraordinary price increases that in many libraries, serial cancellations is the norm. During the last six years, serial price increases have occured in an alternating manner with one year of double-digit increase followed by a year of single-digit increase. Since 1986, on average, the annual increase in unit prices was 11.4% for serials compared to 5.9% for monographs. Both rates of increase exceed the general inflation trends in North America during the same time period.

ARL data has also charted the impact of the library materials trends on Resources per Student. Libraries acquired 30% fewer monographs and 8% fewer serials per student now than they did in 1986. That is actually 840 serial titles and 1,560 monographs per 1,000 students in 1995 compared to 910 serial titles and 2,220 monographs purchased per 1,000 students in 1986. Last year, the median number of volumes added per student increased over 1986 levels for the first time in the last decade with 4.43 volumes added per student compared to the 4.18 volumes added per student in 1986.

In sum, purchases of fewer serials and monographs, coupled with increases in expenditures for serials and monographs, are indicators of the declining purchasing power of academic libraries.

Law and Medical Library Data

For the first time this year, ARL compiled and published disaggregated data on law and medical library components of ARL university libraries. The accompanying table presents monograph and serial costs broken out for law and medical libraries. Additional data are available in the new statistical series published by ARL in May: *ARL Academic Law and Medical Library Statistics*. Please consult ARL's online Publications Catalog at <URL:http://arl.cni.org/pubscat/pubs.html> for complete ordering information.

MONOGRAPH COSTS IN RESEARCH LIBRARIES, 1993-95, MEDIAN VALUES

ARL University Libraries (including Law and Medical Libraries)

(No. of Libraries)	(63) Monograph Unit Price	(99) Monograph Expenditures	(63) Monographs Purchased
Year			
1993	$41.78	$1,295,807	25,583
1994	44.51	1,309,807	25,803
1995	45.27	1,365,575	25,719
Annual Average Change	4.1%	2.7%	-0.3%

ARL Law Libraries

(No. of Libraries)	(35) Monograph Unit Price	(35) Monograph Expenditures	(36) Monographs Purchased
Year			
1993	$40.02	$62,920	1,473
1994	38.23	71,572	1,921
1995	45.01	67,580	1,743
Annual Average Change	0.8%	0.5%	1.1%

ARL Medical Libraries

(No. of Libraries)	(38) Monograph Unit Price	(38) Monograph Expenditures	(38) Monographs Purchased
Year			
1993	$62.97	$95,949	1,512
1994	66.61	95,243	1,500
1995	62.04	92,350	1,563
Annual Average Change	-0.1%	-0.3%	0.2%

Source: *ARL Statistics 1994-95; ARL Academic Law and Medical Library Statistics 1992-93 to 1994-95.*

SERIAL COSTS IN RESEARCH LIBRARIES, 1993-95, MEDIAN VALUES

ARL University Libraries (including Law and Medical Libraries)

(No. of Libraries)	(43) Serial Unit Price	(103) Serial Expenditures	(43) Serials Purchased
Year			
1993	$184.71	$2,919,756	15,463
1994	191.13	2,932,091	15,583
1995	211.29	3,133,885	14,942
Annual Average Change	7.0%	3.6%	-1.7%

ARL Law Libraries

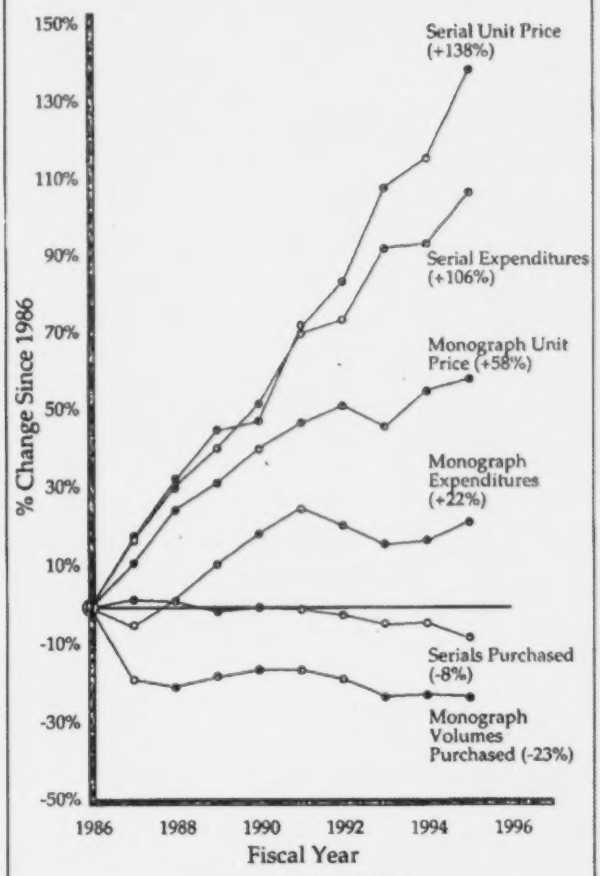
(No. of Libraries)	(31) Serial Unit Price	(31) Serial Expenditures	(31) Serials Purchased
Year			
1993	$132.85	$486,040	3,767
1994	127.94	513,838	4,483
1995	130.02	555,978	4,273
Annual Average Change	-1.1%	7.0%	6.5%

ARL Medical Libraries

(No. of Libraries)	(27) Serial Unit Price	(27) Serial Expenditures	(27) Serials Purchased
Year			
1993	$282.77	$607,235	2,092
1994	309.45	612,406	1,951
1995	325.09	641,650	2,158
Annual Average Change	7.2%	2.8%	1.6%

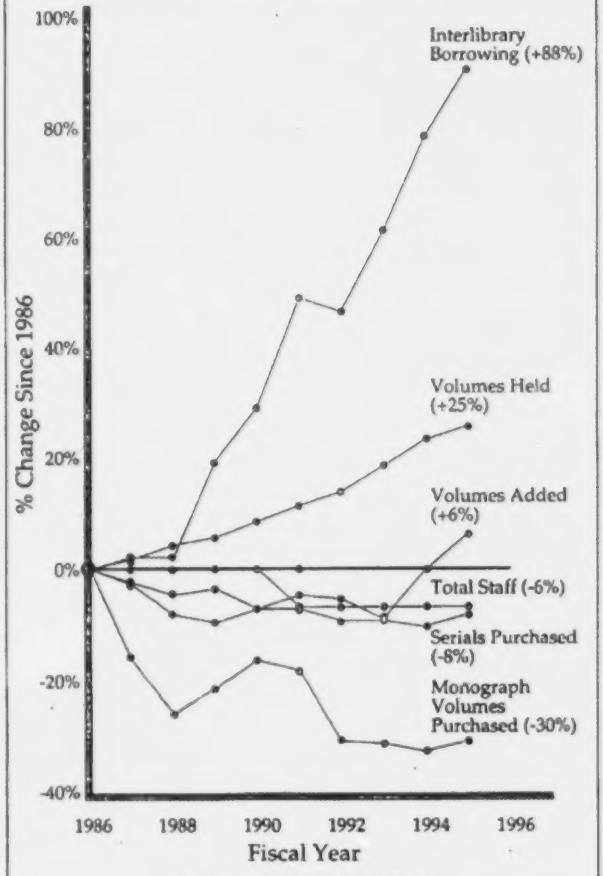
Source: *ARL Statistics 1994-95; ARL Academic Law and Medical Library Statistics 1992-93 to 1994-95.*

Monograph and Serial Costs in ARL Libraries, 1986-1995



Source: *ARL Statistics 1994-95*

Resources per Student in ARL Libraries, 1986-1995



Source: *ARL Statistics 1994-95*

Resources per Student in ARL Libraries, 1986-1995, Median Values

	Interlibrary Borrowing	Volumes Held	Volumes Added (Gross)	Total Staff	Serials Purchased	Monographs Purchased
(No. of Libraries)	(106)	(106)	(106)	(106)	(43)	(63)
1986	0.42	123.97	4.18	0.016	0.91	2.22
1987	0.43	126.34	4.07	0.016	0.89	1.87
1988	0.43	129.34	3.85	0.016	0.87	1.66
1989	0.50	131.04	3.79	0.016	0.88	1.76
1990	0.54	134.45	3.90	0.016	0.85	1.87
1991	0.62	137.79	4.00	0.015	0.85	1.83
1992	0.61	140.79	3.97	0.015	0.83	1.56
1993	0.67	146.44	3.82	0.015	0.83	1.55
1994	0.74	151.77	4.17	0.015	0.82	1.52
1995	0.79	154.82	4.43	0.015	0.84	1.56
Annual average percent change	8.2%	2.8%	-0.7%	-0.8%	-1.0%	-4.3%

Source: *ARL Statistics 1994-95*

Paul Evan Peters, Executive Director

THE NETWORKED INFORMATION USER

A total of 384 people attended the Spring 1996 Meeting of the Coalition for Networked Information (CNI) Task Force which was held on March 25-26 in Washington, DC.

Paul Evan Peters, Executive Director, Coalition for Networked Information, opened the meeting noting that it marks CNI's sixth birthday. He described CNI's original strategy of encouraging innovation and transformation using networks and networked information. The Coalition's new strategy is to focus on specific needs and issues that are impeding the progress that institutions and organizations are trying to make in the networked environment. He commented that the Coalition works best when it is a responsive, agile, and dynamic presence for its sponsors and members.

Several plenary speakers addressed the theme for the meeting, "The Networked Information User," focusing on the growth in size and the diversity of the user population of the Internet and the World Wide Web and the need for new strategies to reach specific elements of that population. Summaries of presentations of two of the speakers are provided below.

The New Role of Information Technology in Higher Education

Kenneth C. Green, Visiting Scholar, The Claremont Graduate School, presented "From Unique to Ubiquitous: The New Role of Information Technology in Higher Education." Since 1990, Green has produced an annual Campus Computing Survey. He described the key underlying factors that affect use of technology in higher education: changing student demography, competition for state money, aging faculty, questions about quality from authorities, and infrastructure (e.g., buildings and technology).

Dr. Green noted that our aspirations for technology in the twentieth century have led to great expectations for each wave of technology: movies, television, and now computers. Our ability to deliver remains quite small in relation to expectations. Students coming to campuses often have better technology in their homes than they find in laboratories on campus. Many come from homes with long-standing subscriptions to online services like America Online or Compuserve.

Dr. Green's research shows that campuses invest in information technology because of:

- market expectations and competitive position;
- expectations for curriculum enhancement; and
- labor market preparation (e.g. preparing students for an information economy).

Technology can be used to address in various ways the three components of the instructional mission of higher education institutions:

- Content (e.g., structure of syllabus, and transfer of content from teacher and library to student),
- Context (e.g., learning environment, campus, resources, socialization, time and place), and
- Certification (e.g., course sequencing, program, degree, skills, licensing, and outcomes).

As the higher education market becomes segmented between adults and traditional students, the emphasis on the importance of each of the three components will shift.

Dr. Green's extrapolations of his survey suggest that there are more than seven million users of the Internet on college campuses alone. This is a huge market for information services. In a year, the percentage of college classes using email has doubled, and between 6-10% of college courses are using the World Wide Web. The use of technology has increased similarly in all types of higher education institutions. Higher education has crossed over the line separating early adopters from the early majority.

Dr. Green observed that there is a tension between faculty on the one hand and provosts and presidents on the other regarding the meaning of "productivity." Faculty generally think that technology makes them more productive in the sense of an improvement of quality. Presidents and provosts in general are focused on improvements in costs.

Dr. Green believes that the campus technology infrastructure drives innovation —if it's not out there, faculty will rarely push for more. Infrastructure encompasses campus networks, libraries, bookstores and copy centers, off-campus network access, smart cards and metermaids, and user support.

Dr. Green closed by describing "Five Not So Easy Issues" that higher education must address:

- making copyright work;
- differential access to the network;
- sound planning for amortization of equipment;
- infrastructure and support services; and
- classroom and instructional integration of technology.

Cultural Transformation in Academe

Karen Hitchcock, Interim President, University of Albany, State University of New York, described the higher education cultural transformations that are needed in relation to new technologies. She said, "This is a defining moment for higher education; we need to be re-engaged with those we serve. The academy needs to examine its premises." Innovations in curriculum and pedagogy have not been embraced at the core of the enterprise. The use of networks and networked information resources has had profound effects on research

and student services and could transform our learning environment, but progress is not very apparent or widespread. New educational paradigms must be developed. We need to rethink basic practices and assumptions of teaching/learning, such as place and time, and faculty as the sole disseminators of knowledge. Most faculty think of such notions as remote from their daily activities. While the university must develop infrastructure strategies, a faculty development program is essential to assure that the promises of the infrastructure will be realized.

As students become co-discoverers with faculty, technology will help create a new infrastructure that will facilitate exploration and in which students can become part of a research community. In a new program at the University of Albany, "Renaissance," students will participate in a learning community that includes faculty and information specialists facilitated by networking technology. Much of the course content will be developed on the network, resulting in a hyperlinked collaborative resource. The power of Project Renaissance is that it intertwines curricular reform with the use of new technologies.

Dr. Hitchcock closed her remarks with a number of recommendations for change. She stated that major changes are needed in the institutional culture, particularly in regards to the role of faculty, the relationship of faculty to information specialists, and the use of information resources. Despite the many unknowns, we must allocate resources to support the changing learning environment on campus which involves new faculty roles and new uses of information resources and technology. She recommended that campuses create a center for learning to encourage faculty development, make profound changes in reward structures, and help faculty reorder their priorities to acknowledge the shift in society's expectations that more attention needs to be paid to teaching on campus. Administrators must support these curricular innovations and also the partnerships of librarians, information technologists, and faculty. We must argue for measures of accountability for faculty which better reflect our aims. Such an agenda for change will be our institutional legacy.

Intellectual Property

Two other plenary session speakers provided contrasting views of the networked intellectual property landscape.

Robert Weber, Senior Vice President, Electronic Publishing Resources, Inc., discussed the impact of emerging rights technologies on authors, publishers, libraries, and individuals in his presentation "Is Rights Management the Right Opportunity for Higher Education?" Weber described technical strategies that are being developed for rights management systems.

Peter Jaszi, Professor of Law, Washington College of Law, American University, and a key organizer of the Digital Futures Coalition, discussed national policy issues related to copyright in the electronic environment. He stressed the need to preserve the legal balance between the rights of information producers and information users in the electronic environment.

Project Briefings

Thirty-two sessions highlighted projects from institutions or featured discussions on critical issues related to networked information. Updates on a number of Coalition projects were also given.

– Joan Lippincott, Assistant Executive Director

Fall 1996 Task Force Meeting

The Fall 1996 CNI Task Force Meeting will be held on December 6 and 7 at the PARC 55 Hotel in San Francisco, immediately following the CAUSE '96 Annual Conference. The theme of the Fall Meeting will be "Enterprise-Wide Information Strategies."

Additional Information

Many documents, including a full report, from the Spring 1996 Task Force Meeting are available on the Coalition's Internet server.

If you choose to access the materials via WWW, you can use this URL to access an HTML formatted document: <URL:http://www.cni.org/tfms/1996a.spring/www/index.html>.

If you access the Coalition's server by gopher, point your gopher client to gopher.cni.org 70 and follow this series of menus:

Coalition FTP Archives (ftp.cni.org)
Coalition Task Force Meetings (/CNI/tf.meetings)
Spring, 1996 Meeting of the Coalition Task Force

If you choose to access the materials via FTP, browse the directory /CNI/tf.meetings/1996a.spring on the host <ftp://ftp.cni.org>.

FEDERAL RELATIONS

Prudence S. Adler, Assistant Executive Director-Federal Relations and Information Policy

CONFERENCE ON FAIR USE

The Conference on Fair Use (CONFU) brings together copyright owner and user interests to develop guidelines for fair uses of copyrighted works by and in libraries and educational settings. The purpose of the conference is to develop guidelines that might supplement the existing classroom, music, CONTU, and off-air taping guidelines. The meetings are hosted by the Information Infrastructure Task Force Working Group on Intellectual Property and facilitated by the Patent and Trademark Office. Participants from over 80 organizations have worked since September 1994 to reach an understanding of fair uses in the digital environment. From the original 20-plus issue papers and scenarios, participants agreed to seek to develop fair use guidelines for electronic reserves, distance learning, visual images, and interlibrary loan. (For background see *ARL* 178, January 1995, p. 6.)

At the February 1996 CONFU meeting, participants established a November 1996 goal for the development of guidelines. Four Working Groups, established to expedite the process, met regularly during the spring. The most recent plenary CONFU meeting was held May 30, 1996. Each of the Working Groups summarized their work to-date and projected the likelihood of achieving consensus guidelines by the November target deadline.

Electronic Reserves

At the end of 1995, the Working Group on Electronic Reserves, chaired by Kenny Crews at IUPUI agreed that reaching consensus on a set of guidelines would not be possible. The Working Group consisted of representatives from publishers, users, and library associations. In early January a smaller group representing scholarly societies, university presses, and library associations began a process to revitalize the draft guidelines. A March 1996 draft was circulated for comment to members of participating associations and to the CONFU participants. At the May CONFU meeting, all participants agreed to submit comments on the current draft by mid-July. A representative group will review the comments with the goal of developing a consensus document.

Distance Learning

The Distance Learning Working Group, chaired by Lolly Gasaway, University of North Carolina Law Library, agreed on a two-phase process. The Working Group is currently drafting language for live, interactive programs and asynchronous taped programs for later transmission. If consensus is reached on this first phase, the Working Group will address computer network and Web-based delivery of distance learning courses.

Visual Images

A newly-constituted Visual Images Working Group, chaired by Pat Williams of the American Association of Museums, was established in early January. This group originally reviewed an earlier draft developed by other CONFU participants, and subsequently agreed to develop a new document by July.

Interlibrary Loan

The Interlibrary Loan Working Group, chaired by Mary Jackson, ARL, met twice in the spring. In March, representatives of both copyright proprietors and the user communities agreed that it was premature to develop guidelines for digital transmission of digital documents. At the May meeting, copyright holders presented a framework document outlining concepts for guidelines for digital transmission of print materials. The library associations will prepare a formal response to that document.

Software

Also at the May plenary CONFU meeting, a statement on the Uses of Copyrighted Computer Programs (software) in Libraries was presented by Mark Traphagen, Software Publishers Association, and Sally Wiant, Washington & Lee Law Library. This statement describes a series of scenarios that illustrate some uses of computer programs by non-profit libraries as permitted under Sections 107, 109(b), and 117 of the Copyright Act. Rather than formalizing these issues into guidelines, the consensus statement provides a general understanding of fair uses of software.

Multimedia

Draft guidelines for multimedia are being developed in a parallel process by the Consortium of College and University Media Centers (CCUMC) and led by Lisa Livingston, CUNY. At the May CONFU meeting, Ms. Livingston announced that the participants, many of whom are also attending the CONFU meetings, are very close to reaching agreement "because of the significant compromises made by the educational community." On behalf of CCUMC, Ms. Livingston expects to present the multimedia guidelines for inclusion in the legislative history of the NII bill.

Next Steps

The CONFU process has demonstrated the challenges in reaching consensus on a balanced view of fair use in the digital environment. At the May meeting, participants were unable to ensure that fair use guidelines would emerge for any of the four issues. Some participants even questioned whether voluntarily negotiated guidelines do guarantee a "safe harbor" for educational institutions. The discussions underscored the divergent assumptions about whether these new guidelines provide any assurance against legal action. There is also a philosophical disagreement among participants about whether CONFU guidelines should define maximum or minimum uses. In spite of these conflicting views, the May plenary meeting adjourned with participants agreeing to continue discussions.

–Mary Jackson, ARL Access and Delivery Services Consultant

FAIR USE IN DIGITAL ENVIRONMENTS:
THE WORK OF THE CONFERENCE ON FAIR USE (CONFU)

by Douglas Bennett, Vice President, American Council of Learned Societies

Presented at The National Federation of Abstracting and Information Services in Philadelphia, PA on February 27, 1996.

I HAVE BEEN ASKED to speak today about fair use in digital environments, and particularly about the work of the Conference on Fair Use (or CONFU) that has been meeting in Washington, DC over the past 18 months. CONFU is attempting to work out guidelines for 'fair use' in educational and library settings now that digital, networked communication and publishing is becoming common, much as, twenty years ago, with photocopy and videotape technology becoming prevalent, guidelines were negotiated for fair use in educational and library settings.

Fair use is a critically important doctrine in copyright law, one of special value for scholarship and education. It allows users of copyrighted materials—teachers, students, scholars, artists—to use copyrighted materials without seeking permission from the creator or publisher and without paying copyright fees. Fair use allows scholars to draw on the work of others in advancing a new argument, reviewers to criticize, artists to parody, teachers to acquaint students with fresh insights. It is critical for the advance of knowledge and for quality education. Of course there are limitations, the most basic of which is that the use cannot significantly undercut what the creator or publisher might gain from commercial sale of the work. The doctrine of fair use was worked out in a world where print on paper has been the primary medium of communication. What can, what will it look like in a digital, networked world?

Some of the new predicaments of copyright in digital, networked environments are well illustrated in an IBM ad now showing regularly on network TV. It shows a man walking in a vineyard with a younger woman, apparently his granddaughter. They are speaking Italian. He tells her he has just finished his thesis thanks to IBM, which digitized the library at the University of Indiana, presumably a considerable distance away. The ad is meant to dazzle you with the technology: you can live in a faraway, rustic setting, and still have all the world's knowledge and culture at your fingertips.

You have to care about copyright to be annoyed by the ad, and I don't know who should be more annoyed: librarians, because the ad raises expectations that can't be fulfilled any time soon; or publishers, because of the suggestion that technology is the only barrier to digitization, not (for example) permission from copyright holders to allow materials to be put in digitized form. Certainly the University of Indiana couldn't have digitized all of its holdings even if the copyright holders had all agreed, and just as certainly the copyright holders have not all agreed. The new technology does open marvelous possibilities, but putting them to good use will require us to settle a host of intellectual property questions. And fair use is central to these.

The American Council of Learned Societies is concerned about these matters because we believe the new technology will plow up and replant the vineyard of scholarly publishing and communication, but we also believe that the settlement of intellectual property questions will be at least as decisive as developments in technology in establishing what now flourishes and what withers.

I. Fair Use in Copyright Law

The Constitution gives the federal government the power to make copyright law in order to promote the useful arts and sciences. This has been accomplished by giving creators and their designated representatives the right to profit from the expression of their ideas, but within certain limits, which allow others to make use of new ideas—to build on the work of others.

Copyright law thus involves a carefully designed set of balances. Section 106 of the copyright law gives the holder of a copyright a series of exclusive rights for a number of years: the right to reproduce a work, the right to make derivative works, the right to distribute copies, the rights to perform or display a work in public.

Other sections of the copyright law place limitations on these exclusive rights of copyright holders. Section 108, for example, addresses some limitations that pertain to libraries, section 109 establishes the doctrine of first sale, and section 110 provides exemptions for educational institutions. But beyond these, in many ways more fundamental and certainly critical to the world of scholarship and education, are the provisions of section 107 regarding 'fair use.' This section reads:

> Notwithstanding the provisions of section 106 and 106A, the fair use of a copyrighted work, including such use by reproduction in copies

or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include —

1. the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. the nature of the copyrighted work;
3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. the effect of the use upon the potential market for or value of the copyrighted work.

The four factors require interpretation on a case by case basis, and there have been a number of court cases that provide additional guidance. In 1976, representatives of various interested parties, including publishers and librarians worked out guidelines to help interpret these sections of the copyright law—what was required and permitted in educational and library settings. These guidelines are in four areas: (a) classroom use of copies, (b) copying of music for educational purposes, (c) copying for interlibrary loan, and (d) off-air videotaping of broadcast programming for educational purposes.

These guidelines were developed in response to predicaments raised by certain "new technologies," especially photocopiers and VCRs. The guidelines have served us all reasonably well, but now we are faced with even newer technology: computers, networks, and digitized formats. Working out guidelines for this technology is the charge for CONFU.

II. CONFU: The Conference on Fair Use

Shortly after taking office, the Clinton administration appointed a National Information Infrastructure Task Force chaired by Secretary of Commerce Ronald H. Brown. The Task Force has largely worked through a few Working Groups, including one on Intellectual Property, chaired by Assistant Secretary of Commerce and Commissioner of Patents and Trademarks Bruce Lehman. The Intellectual Property Working Group prepared a draft or "green paper" on Intellectual Property and the National Information Infrastructure which it released for comment in July 1994. A final, revised "white paper" version was released in September 1995.[1]

The White Paper discusses intellectual property issues that arise with new information technology, and makes a number of legislative recommendations. These proposals have now been introduced in both Houses of Congress.

On fair use and the other related library and education limitations on the exclusive rights of copyright holders, the White Paper made no recommendations. Instead it created the Conference on Fair Use "to determine whether educational or library guidelines of a similar nature [to those developed in 1976] might prove attainable in the NII context." The Working Group added, "should the participants in the Conference on Fair Use fail to agree on appropriate guidelines, the Working Group may conclude that the importance of such guidelines may necessitate regulatory or legislative action in that area." [White Paper, p 83, 84]

Several dozen organizations participate in the work of CONFU. It is difficult to give a precise number because new participants continue to arrive and some have drifted away, but perhaps 50 or 60 organizations have been steadily involved. Many are organizations that represent publishers and other copyright holders. Users of copyrighted materials are principally represented by library organizations.

ACLS is a middle player in the conference, and there are very few others similarly situated. On the one hand we represent 56 learned societies, all of which publish journals and other copyrighted works. On the other hand we represent 300,000-400,000 scholars who belong to these scholarly societies and who are voracious users of copyrighted materials. ACLS's fundamental interest is in the health of the system of scholarly publication and communication, and in the appropriate availability of scholarship to students and teachers.

III. Dominating Worries and Background Hopes

There is another ad most of you have seen recently on television which bears mention here. A teenage girl is ripping pages out of a book and inserting them one by one into a fax machine. A man, apparently her father, wanders by. She tells him she is faxing a book on maturity to her boyfriend on the west coast. "Can't he buy the book?" the father asks. But he is clearly not disposed to intervene. Again we are meant to be dazzled by the technology, but in this ad AT&T is plainly showing someone violating the copyright law. No one would argue that faxing a whole new book (even if this were for a legitimate educational purpose) could be construed as fair use. You have to care about copyright to be appalled.

One can only wonder what exchange about this ad has passed between AT&T and the American Association of Publishers.

I mention the ad because, when you do care about copyright, the ad provokes basic worry on the part of publishers. Publishers worry that networks and digital technology open the door to users transmitting millions of illegal, perfect copies across the globe with just a few key strokes. On this worry, fair use is an open door to renegade behavior that will undercut the financial viability of publishers. Librarians have a very basic worry as well. Librarians worry that the new technology will be used to create a world which is strictly pay-per-view. There will no longer be any fair use, nor any sharing of materials among users or institutions. Though seldom expressed in bald form, these two very large worries dominate CONFU, one from each side. Their scale and breadth have tended to be corrosive of practical solutions for particular problems.

There also are some seldom-expressed hopes that participants bring with them into the discussions. Publishers hope that the new technology will bring new efficiencies, possibilities for publishing on demand, relief from the need to hold inventory, and new possibilities for deriving additional income from previously-published materials. Librarians hope that the technology will allow them to work out new strategies for sharing materials and provide a foundation for cooperative collection development. These hopes are rarely expressed for fear of sparking the corresponding worry from the other side.

Something else slowing progress is shared awareness that the technology continues to evolve very quickly. No one wants to enter into an agreement which will be rendered unfavorable to them by a quick shift in what the technology makes possible.

IV. Possible Guidelines

The conference began with a long list of topics suggested by participants. Brief issue papers were written on most topics and then scenarios for discussion on a smaller number of issues. The conference is now working in a number of small groups on draft guidelines on five topics. It would be difficult to give an accurate sense of where each group is at the moment, but let me identify the areas in which they are working and the questions they are trying to answer:

(1) Image archives. Art historians and others regularly use slides and other images in teaching and scholarship. With the new technology they can capture and transmit identical copies of these images in digital form. What is fair use of such materials? To what extent can educational institutions digitize existing slide libraries, whose images come from many sources? What use can be made of images in scholarly or educational publications, print or online?

(2) Multimedia. Increasingly faculty are developing multimedia presentations using text, sound, and images from many sources, some of them copyrighted. Students are learning how to use multimedia as well and exploring the limits of what is possible. What is legitimate in making and using multimedia materials? How can these materials be used once prepared?

These are both areas without analogue in the 1976 guidelines. Oddly (or perhaps not) this may have made progress somewhat easier. Two other areas are ones which can be seen as having analogues in the earlier guidelines which may be drawn on for the digital future.

(3) Electronic reserves. Most colleges and universities have reserve systems in their libraries, and, within limits, libraries have photocopied copies of some articles for these systems. With the new technology, should librarians be allowed to digitize materials and make it available on a campus network? To what extent and within what limits?

(4) Interlibrary loan/document delivery. For decades libraries have shared materials with one another when users cannot find what they are looking for in their home library. The coming of the photocopier made interlibrary loan easier: libraries could share copies of articles, not the original bound journal. Can they do this now by scanning, digitizing, and sending via the Internet? Again, within what limits?

(5) Distance learning. The last area is distance learning, the most important topic of all, in my view. It is the one where the stakes are highest for educational institutions, and all of the other guidelines topics connect with it. Many states, particularly those in the West, have invested heavily in distance learning capabilities. What copyrighted materials can be transmitted over these closed but far-flung networks without paying copyright license fees? Can we do the same things in a virtual classroom that we can within the confines of a single room on a university campus?

V. Current Legislative Proposals

The work of the CONFU will continue into the fall, it now appears. Though a good effort is being made, it is not at all clear that we will emerge with drafts in any of these areas that are acceptable to a sufficiently large spec-

trum of the participants to serve effectively as guidelines.

In September, legislation was introduced in both houses of Congress to amend copyright law (H.R. 2441, the NII Copyright Protection Act). The House has already held hearings; the Senate will in the next few months.

Ostensibly the proposed legislation is silent on issues of fair use. Instead, it introduces proposals made in the NII Task Force's White Paper. It proposes that a right of "transmission" be added to the section 106 list of exclusive rights of copyright holders. It has a provision on how digital technology may be used by libraries in preservation of materials. It has a provision on copyright protection and management systems, including language which would hold network providers liable for materials transmitted over their networks. And there is a provision which would allow reproduction of works for the visually impaired.

Many of these topics are worth a discussion of their own. Some supporters of the legislation have described it as making only small adjustments, but the implications are much more significant. Here I only want to note that I do not believe—and many others do not believe—that the legislation has no implications for fair use.

The central issue here is the proposed transmission right. Adding this to the rights of copyright holders without a clearly stated understanding of what would constitute fair use in digital environments could rip apart the carefully constructed balances of copyright law. When and under what conditions could users, under a claim of fair use, transmit copyrighted materials, or make use of transmitted materials? We would not know. And for the health of education and scholarship it is very important that we do know.

My own view is that it would be most unwise to pass this legislation (or any) without provisions about fair use in it. I believe this especially with the work of the CONFU uncertain to reach any conclusion and certain to reach no conclusion until the fall.

VI. Two Difficult Basic Issues

I want to close by highlighting two issues which increasingly seem important to me and which crosscut all of the issues on which we are preparing guidelines.

(1) One is an issue I'll call the problem of creating a 'digital commons.' How can we all know what's been published—what's available?

In a print world, we have many opportunities for 'browsing.' I don't think 'browsing' in this sense is something we can translate directly into the digital future. But it is important that we find a way to allow all scholars, students, teachers, and other users to know what is available and also to know something about it. They may well have to spend money to make use of the work (or someone else may have to spend money on their behalf), but they will be able in principle to know of the totality of what's available.

Several publishers have argued that the marketplace, the needs of successful competition, will press all publishers to make known information about what is available. The market will solve the problem, they think. I'm not persuaded. At least in the scholarly world, I think it would be useful to have some norms, some standards of good behavior by publishers, about what could be seen for free regarding what's been published.

(2) Let me call the second issue 'entertainment and scholarship.' Can one set of rules or guidelines work for both of these realms? Increasingly, the world of publishing is dominated by conglomerates whose interests include books, movies, software, CDs: every possible format for every possible kind of audience. The largest stakes for these companies have to do with entertainment, not education and scholarship.

I believe we need some way to provide for the special needs and concerns of education and scholarship. This isn't a matter of tilting in favor of users over publishers. It is rather a matter of finding a balance between the interests of users and publishers that is appropriate for this particular realm. Guidelines, such as those that the CONFU is working on, would be one way of accomplishing this.

Not to have guidelines—or some other way of respecting the special qualities and needs of education and scholarship—is to say that entertainment and scholarship will be governed by precisely the same regime—and that regime would essentially be the logic of the marketplace. I can only think this would be harmful to education and scholarship. For example, will the marketplace provide for the long-term preservation of all that is published? I doubt it. Preservation is a critical concern for scholars, and something that has largely been accomplished in the past by libraries. Digital technology creates new opportunities but also new predicaments for preservation of the human record. We must be sure that we are doing at least as well in the digital future as we have in the print on paper present and past.

Perhaps this is just another way of asking why we have worked as hard as we have in seeing that the CONFU process comes to successful conclusion.

[1] The Information Infrastructure Task Force White Paper, *Intellectual Property in the National Information Infrastructure*, is available on the World Wide Web at <URL:http://www.uspto.gov/web/ipnii>.

FALL 1996 OMS TRAINING INSTITUTES

FACILITATION SKILLS INSTITUTE

Sept. 11 - 13, Baltimore, MD

Participants will learn how to become skilled facilitators who can assume key roles within their work units and other groups to assist in producing better quality team/group results. Topics will include: skills for effective facilitation; group dynamics and group process; facilitative versus controlling leadership; managing meetings; dealing with difficult behaviors in groups; and problem-solving and decision-making methods. Each participant will have an opportunity to practice facilitation skills.
ARL Members: $350 Nonmembers: $420

FACILITATING CHANGE: THE INTERNAL CONSULTANT

Oct. 21 - 23, Kansas City, MO

Management and staff in libraries will be increasingly expected to function as change facilitators within organizations. Participants will examine the basics of organizational development; the methods and strategies of facilitating meaningful and successfully implemented change; the dynamics of organizational change; and the importance of transitions. Ample opportunity will be devoted to skill practice and the application of concepts to participants' own work.
ARL Members: $350 Nonmembers: $420

LIBRARY MANAGEMENT SKILLS INSTITUTE I: THE MANAGER

October 1 - 4, Chicago, IL

This *Institute* will explore and develop a range of concepts and techniques associated with effective management so that the individual will broaden his/her ability to function and to contribute to the organization. The focus will be on the individual and the individual's relationship to the library organization as a whole, including relationships to peers, direct reports, and supervisors. Through feedback tools and learning experiences, participants will have an opportunity to reflect on their current approach to managerial and leadership responsibilities.
ARL Members: $490 Nonmembers: $550

LIBRARY MANAGEMENT SKILLS INSTITUTE II: THE MANAGEMENT PROCESS

Nov. 4-8, Washington, DC

This intensive 5-day program will use a simulated library workplace, in the framework of the learning organization model, to focus on the individual's ability to have a positive influence on the overall performance of the organization. Emphasis will be placed on building and maintaining proficiency in the skills of observation, diagnosis and planning so that participants will become more effective in solving organizational problems and in recognizing organizational opportunities.
ARL Members: $695 Nonmembers: $745

WOMEN IN LIBRARY LEADERSHIP

Nov. 19 - 21, Safety Harbor, FL

Does the "glass ceiling" research apply to academic libraries? Are there differences in the ways in which men and women lead? In this special 3 ½-day *Institute*, participants will examine these questions; identify key skills for effective leadership in the diverse workplace; explore personal values and how they fit into the workplace; assess developmental needs; and explore and develop strategies for enhancing personal and professional lives through understanding life/work balance behaviors.
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Training Institute format includes lectures and presentations while emphasizing participant involvement, special activities, and group discussion. *Training Institutes* systematically introduce a range of concepts and techniques and allow participants the opportunity to develop and practice applications for their own workplaces. Participants can expect a nonthreatening but challenging environment which encourages colleagues to exchange views and learn from others who share common organizational experiences and concerns.

For more information, please contact: Christine Seebold, OMS Training Program Assistant Office of Management Services
21 Dupont Circle, Washington, DC 20036
Phone: (202)296-8656; FAX: (202)872-0884
Email: cseebold@cni.org

ARL Activities

G. Jaia Barrett, Deputy Executive Director

ARL to Complete Conversion of NRMM Records

ARL has received funding to manage the final phase of the retrospective conversion of the National Register of Microform Masters (NRMM) Master File. The final phase will create machine-readable records for 13,888 non-Roman and other remaining reports. The project is funded by a newly awarded grant of $114,000 from the National Endowment for the Humanities. The Library of Congress is contributing substantial staff resources. On behalf of research libraries, OCLC is making an in-kind contribution of $34,720.

This 15-month project is a partnership among ARL, the Library of Congress, and The New York Public Library. It will create machine-readable records for 8,000 Cyrillic and 3,300 Hebrew and Arabic reports prepared by LC and NYPL as well convert about 2,500 additional reports. The project will be carried out under the overall management of ARL under the guidance of Jutta Reed-Scott. The Library of Congress will be responsible for the quality assurance program. ARL will extend the current contract with the OCLC Online Computer Library Center, Inc. to complete the additional work.

ARL Publishes Proceedings on the Economics of Information

The Economics of Information in the Networked Environment is now available from ARL Publications. It is a collection of papers presented at the conference Challenging Marketplace Solutions to Problems in the Economics of Information held September 18-19, 1995 in Washington, DC. The conference brought together academic officers, chief information officers and other administrators, economists, and other interested faculty, librarians, computing professionals, and representatives from higher education associations, to examine issues related to the development of the knowledge infrastructure and their economic impact on higher education. Please consult ARL's online Publications Catalog at <URL:http://arl.cni.org/pubscat/pubs.html> for complete ordering information.

Leading the Agile Organization

The 128th ARL Membership Meeting convened May 15-17 in Vancouver, British Columbia and was hosted by the University of British Columbia. One hundred and seven ARL member libraries were represented at the meeting. The program theme, Leading the Agile Organization, was planned and conducted in collaboration with the Canadian Association of Research Libraries. Nancy Cline, Pennsylvania State University, and Carolynne Presser, University of Manitoba, presidents of ARL and CARL respectively, co-chaired the program sessions. Speakers from the academic and corporate sector met with the directors of research libraries from the U.S. and Canada to discuss different strategies to assist organizations to respond to the heightened levels of change and complexity now facing universities and other large research institutions.

Member representatives and guests also received preliminary reports about the Columbia University Online Books Evaluation Project, Johns Hopkins' Project Muse, and UC-Berkeley's SCAN (Scholarship from California on the Net)—all three projects exploring the implications of electronic technologies for publishing scholarly materials, conserving them, making them more readily accessible to users, and more affordable for research libraries. There was also a program on copyright developments in the U.S. and Canada.

Proceedings of the program will be published electronically on the ARL server as the papers become available <URL:http://arl.cni.org>. A paper edition of the proceedings will follow.

Ohio University Invited to Join ARL

During the ARL Business Meeting on May 17, the member representatives voted to extend an invitation to Ohio University to join the Association.

Ohio University is a state supported university that was classified a Research University II institution by the Carnegie Foundation for the Advancement of Teaching. Analysis of quantitative measures of the Ohio University Library indicates that it shares a similarity in size with current ARL member libraries in the fourth quartile. In an evaluation of qualitative characteristics of the library, it was judged to be a significant contributor to the North American collection of research resources and services. Such contributions include development of research level collections on Southeast Asia and comprehensive representation of library holdings in OhioLink. The addition of Ohio University to the ARL roster brings the association membership to 120 research libraries.

Report of the Digital Archiving Task Force Available

The final report of the Digital Archiving Task Force is now available. At the end of 1994 the Commission on Preservation and Access and the Research Libraries Group created a Task Force on Archiving of Digital Information charged with investigating and recommending means to ensure "continued access indefi-

nitely into the future of records stored in digital electronic form." The 21-member task force co-chaired by Donald Waters, Associate University Librarian, Yale University, and John Garrett, Chief Executive Officer of CyberVillages Corporation, recently completed their final report. RLG and CPA are making this widely available online and in print. The report may be found at <URL:http://www.rlg.org/ArchTF/>.

TRANSITIONS

Boston: Arthur Curley has announced his intention to retire as Director in 1996. He has agreed, following his retirement, to remain at the Boston Public Library as Director Emeritus concentrating on special collection needs, the ongoing $50 million restoration program, and the expanded statewide role of the library.

California at Riverside: James Thompson is on leave until July 11; John Tanno is Acting Director.

Indiana: Suzanne Thorin was appointed Dean of Libraries, effective July 1. She is currently Associate Librarian at the Library of Congress.

Kansas: Effective July 1, Bill Crowe's title will be Vice Chancellor for Information Services and Dean of Libraries, reflecting the alignment of the University Libraries, Computing Services, Telecommunications and Networking, and Printing and Mail Services on the Lawrence campus.

Massachusetts: Richard Talbot has announced his retirement as Director of Libraries effective December 31, 1996.

McGill: Eric Ormsby will become full-time Full Professor in the Institute of Islamic Studies effective June 15. Frances Groen, Associate Director since 1990, was appointed Director of Libraries for a five-year term.

Miami: Frank Rodgers has announced his retirement as Director of Libraries effective May 1997.

Mary Case, Director of the ARL Office of Scholarly Communication.

National Agricultural Library: Pamela Q.J. André accepted a two-month detail as Acting Associate Director, Agricultural Research Service, Northern Plains Area, effective May 6. Keith W. Russell was named Acting Director for this period.

Rice: Charles Henry was appointed Vice Provost and University Librarian. He is currently Director of Libraries at Vassar College.

ARL Executive Office: Mary M. Case began as Director of the ARL Office of Scholarly Communication (OSC) on June 3. Previously, Ms. Case worked in the Office of the Vice President for Administration and Planning at Northwestern University serving as Director of Program Review and Special Projects.

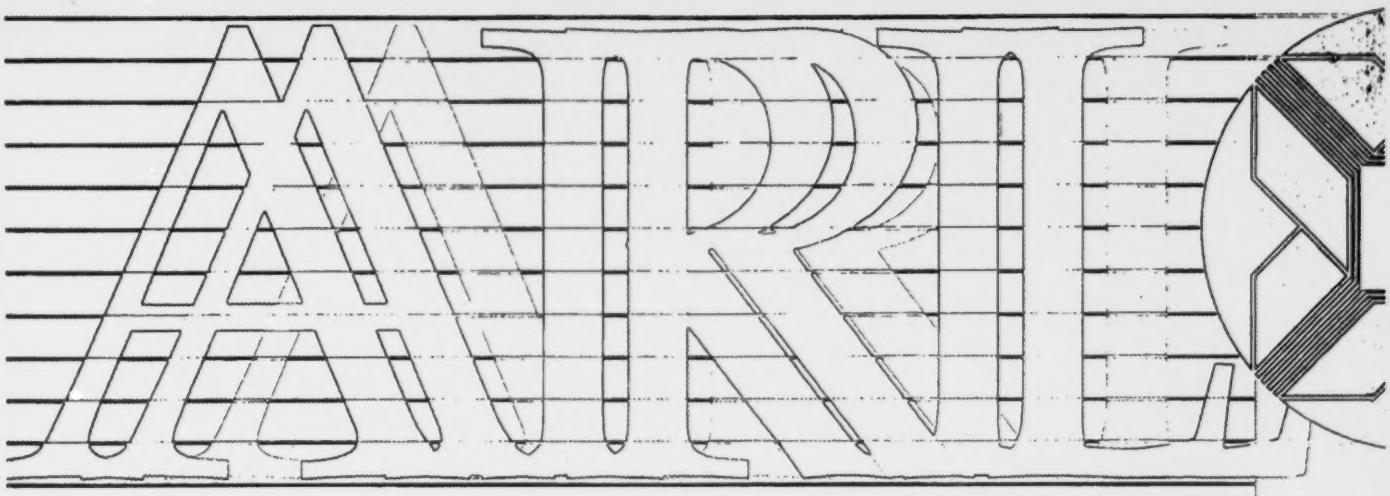
ACLS: Stanley Katz has announced his departure as President of the American Council of Learned Societies sometime in the latter half of 1997, dependent upon when a successor is named. He will return to full time teaching at the Woodrow Wilson School at Princeton University.

TRLN: Jordan Scepanski will be Executive Director of the Triangle Research Libraries Network, effective August 1.

HONORS

Paula Kaufman, Dean of Libraries, UTK, was commencement speaker at the University of Tennessee, Knoxville graduation ceremonies on May 10.

Edward R. Johnson, Oklahoma State University Dean of Libraries, was selected as Administrator of the Year by the Oklahoma Chapter of the American Society for Public Administrators.



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186 June 1996

Trends in Expenditures for Library Materials 4
The Networked Information User 6
Conference on Fair Use 8

CALENDAR 1996

July 4-10	American Library Association New York, NY
July 29-30	**ARL Board Meeting** **Washington, DC**
August 25-31	International Federation of Library Associations Beijing, China
October 8-11	EDUCOM '96 Philadelphia, PA
October 13-16	LITA/LAMA National Conference Pittsburgh, PA
October 15-18	**ARL Board and Membership Meeting** **Washington, DC**
November 18-25	NASULGC Annual Meeting San Diego, CA
December 3-6	CAUSE San Francisco, CA
December 6-7	Coalition for Networked Information Fall Task Force Meeting San Francisco, CA

OMS TRAINING INSTITUTES, FALL 1996

For information see page 9.

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A BIMONTHLY NEWSLETTER OF RESEARCH LIBRARY ISSUES AND ACTIONS

187 August 1996

Supply and Demand in ARL Libraries 4
Explosion of Electronic Publishing Reported in Directory 6
NII Copyright Bill Stalled; WIPO Takes Up 'Digital Agenda' 8

Current Issues

A PEACETIME MISSION FOR HIGHER EDUCATION

by William C. Richardson, President and CEO of the W. K. Kellogg Foundation

The National Association of State Universities and Land-Grant Colleges (NASULGC) has created a 25-member presidential Kellogg Commission on the Future of State and Land Grant Universities.

The Commission is funded by the W. K. Kellogg Foundation. In announcing the initiative, Foundation President and CEO William C. Richardson spoke of the philosophy and practices of state and land-grant university education since the early 1930s, and why the Foundation decided to support a national dialog on institution reform in higher education. Before joining the Kellogg Foundation in 1995, Dr. Richardson was President of the Johns Hopkins University for five years. Kellogg granted ARL permission to publish the following excerpts of his remarks.

One may ask what does the Kellogg Commission seek to accomplish that numerous other commissions have not?

Even though we have tried to avoid "commissions," we still recognize that many have made great contributions to American society. The National Commission on Excellence in Education and the Pew Roundtable are both good examples. Therefore, after much discussion, the Foundation concluded that the Kellogg Commission has great potential. Further, we believe the land-grant ethic — commitment to scholarship, broad access to higher education, and service to communities — is still among the most noble and valuable ideals in American society.

Indeed, many of these land-grant ideals are embodied in the vision and mission of the W. K. Kellogg Foundation. Our grantmaking centers around the vision of a world in which each person has sense of worth, and accepts responsibility for self, family, community, and societal well-being and we believe each person has the capacity to be productive and to help create nurturing families, responsive institutions, and healthy communities.

The Commission will provide an organizing structure for fostering a national dialogue about institutional reform in higher education. And equally important, the Commission will convene the leaders, and provide the leadership, that will help convert these ideas into action.

I would like to address some key challenges that many of you will face as you work to implement the reforms promoted by this Commission. I also want to explore how we got where we are, but more importantly, how an increased focus on active outreach and effective partnership can help us take a tremendous leap forward.

In the next few years, I think the stakes will be very high. Should universities fail to make some important reforms, they indeed risk becoming the "academic Jurassic Parks" referred to in a recent statement from NASULGC leaders. In other words, fascinating, historic places to visit, but without connection to a world that may have passed them by.

But how did we get to this point as a society?

To help understand one of the driving forces behind the current situation of universities, one could look at the United States' high-tech arsenal. This was built on a foundation of university research: federally-funded university research. I think it is accurate to say that higher education played a major role — albeit a discreet one — in winning the Cold War. But this Cold War paradigm, which promotes research as the loftiest

Continued

service of higher education, influenced the organizational structures and incentives we see at most major universities today. And of course, the competition of the superpowers went well beyond the military dimension, and included fields as far ranging as astronomy, zoology, and the biomedical sciences. International studies and foreign language instruction were also fostered.

Well, we have won the war. It was of course incredibly costly, a cost that we and our children will bear for decades. However, in 1996, many of our universities seem to be like a veteran who has not completely adapted to a new purpose in peacetime.

Learning By Doing

One of the critical challenges for higher education is to redirect our knowledge and our resources in the service of rural communities and urban neighborhoods. In fact, it may be these investments that prove the true test and value of our research and outreach programs. Can we, for example, make a difference in the lives of people where they live, in the towns and communities of America? Can we build the capacity of people to play a central role in finding their own solutions? And, can we impact public policy that creates both economic and social opportunities for people to improve their quality of life?

It is true that states and local governments do not have very deep pockets any more when it comes to funding these types of activities. I cannot even suggest that you turn to the Kellogg Foundation, because we do not fund research, per se. We *do*, however, fund learning by doing. And in many cases, learning by doing in a community setting provides the optimum atmosphere for teaching, outreach, and important research.

With learning by doing, universities can add value to their teaching and research in a host of creative ways. As an example, consider NASA's Hubble Telescope project, which is headquartered at the Homewood campus of the Johns Hopkins University. It took a massive research effort to launch, and then make the needed fixes, on this hugely successful $1.4 billion piece of equipment.

Yet it did not stop there. Hopkins' faculty have found some amazing ways to link the telescope with educational programs everywhere. There are programs linked to the Baltimore Public Schools, undergraduate courses, museums, and historically black institutions. With sound marketing and outreach, the Hubble Telescope has clearly added real value — and income — to the university and opportunity for the wider community.

As a fringe benefit of the Cold War, the Internet provides another challenging opportunity for higher education. It was largely the universities — and not the private sector — that developed the Internet in the first place, partially as a means to support defense-related research and other needs.

Now, as a true peace dividend, the Internet provides a fantastic medium for learning and communication. Many universities still use the Internet largely as a tool for research. They have yet to realize, or pursue, its vast, untapped capacity for outreach and service. Here is a situation where the infrastructure is largely in place; and what is needed is a new philosophy and approach for using this existing technology.

Again, the secret is finding new ways to add value — and revenue — through teaching and research in partnership with our communities. We of course need an academic culture, and leadership, that allows and promotes these changes. But before we explore that challenge, I would like to question what I consider a myth of American higher education, one that has been espoused for too long.

Research as the Measure of Success

This myth surfaced again a few weeks ago, while we were discussing the Kellogg Commission. A Kellogg Foundation staff member commented to me that during the early 1980s, his university had a goal. They wanted to become "The Harvard of the Midwest." In other words, a big, high profile research-driven titan, with well-to-do sponsors and benefactors. I would like to think that this narrow goal has changed, but I suspect otherwise. I think too many universities, public and private, still use research activities as a yardstick to define a significant part of their success.

The truth is, there is the Harvard of myth and then there is the Harvard of reality. Now I realize that Harvard, or Johns Hopkins, or any excellent university, still does a huge amount of very important research. But in actual fact, there has been a transformation at these universities. It is a transformation driven by a new or renewed commitment to part-time learners, adult education, and undergraduates — a transformation that includes hands-on research that is readily useful and transferable to communities. In fact, these universities are at their best when their faculties engage in a range of such activities.

It is ironic. While many land-grant and regional universities are trying to become more like *Harvard*, Harvard appears to be trying to become more like *them!*

There is little question that a research-as-king mindset has shaped the academic culture and hierarchy of most American universities. And clearly, our ability to change the status quo will pose yet another major challenge for higher education during the post Cold War era.

Institutional Strategies

Now, I do not propose any organizational template that a university should use to quickly create such a new structure. However, I can suggest an approach that

rewards people for doing what they do best, in ways that benefit the taxpaying public and the university.

University leadership — administration and faculty — must articulate a multi-faceted mission that is balanced and forward-looking.

Within this context, faculty appointments, among other things, may be viewed as licenses that enable faculty to pursue their own work, but in a way that puts revenue in the university's accounts. Faculty activities include teaching at a level that generates enough credits to support the position. Or if one has a heavy research focus, generating enough research grants to support oneself and the work, or a mix of these. The same logic applies for faculty who are engaged in clinical practice. This strategy reflects a clear correlation between the organizational setting that the university is providing and the work that it wishes to see accomplished — its mission.

Such an approach promotes flexibility within the university. It allows faculty to pursue the needs of a fast-paced society, with greater flexibility as to what constitutes enough published research, while providing encouragement for other activities. As taxpayers increasingly expect higher education to become engaged with society, we will need this more flexible, mixed model orientation to respond effectively.

Personal Leadership

Higher education must trust more than one model of scholarship and practice. To accomplish this, universities need to support and reward what may be unconventional thinking. As Thomas Huxley once said, "Every great advance in natural knowledge has involved the rejection of authority."

What higher education needs, then, are teachers and researchers who can think and act independently *and* responsibly. To achieve that, universities need to promote a strong ethic of personal leadership. And this notion of leadership must extend beyond the traditional job titles of dean, department head, or provost.

On a broader scale, we must call every faculty or staff member to leadership. Leadership in their discipline. Leadership in their ability to connect with community. Leadership in their ability to mentor students, community people, and other faculty. As universities become more decentralized, this ethic of personal leadership will prove even more important.

Lifelong Learning

If only for reasons of personal job effectiveness, neither we nor our institutions can afford the luxury of limited vision. Most people during their careers will need significant re-education every five to seven years. And that brings us to the final challenge that I would like you to consider: lifelong learning.

What this amounts to is a wonderful opportunity for universities to adopt a seamless approach to education. Now I believe most universities *have done* an admirable job of addressing the needs of lifelong learners. Child care, weekend courses, mid-career graduate programs, and distance learning have all helped add students and value to the university.

There still exists, however, a lingering lack of conviction about the value of lifelong learning. It is as if we are not yet convinced that global competition, and technology, have made this a serious reality.

We seem to regard higher education as a one-way street from teacher to student or university to community. But the late Ernest Boyer and others have pointed out we are all learners — students and professors and communities. And we need the chance to move from theory to practice and back again.

I think a graduate with as little as two- or three-years' work experience can be a great resource. In many respects, we should regard our graduates not just as alumni, but Extension Agents. They are a network that can help the university advance its mission, while we help them grow professionally and personally.

Today, we envision the tremendous potential for higher education to revitalize American society. Likewise, I hope these ideas will spark your interest in the critical reforms so needed by the higher education community.

I do not believe there is a question as to whether we are up to the task. We helped win the Cold War, so it is not a question of capability but of commitment. It is truly time for us to move on.

NASULGC's Kellogg Commission and its Plans

In early 1996, five topics were proposed as the basis of Kellogg Commission discussions and for a series of reports to be issued over the next 30 months.

The student experience: placing the student experience — graduate and undergraduate, traditional and non-traditional — at the heart of institutional concerns.

Access: maintaining access as a priority, despite financial and political pressures.

Engaged Institutions: going beyond extension to become more productively involved with our communities.

A Learning Society: creating an America that encourages learning throughout life.

Campus Culture: redefining excellence and traditional reward systems on campus through the prism of this new agenda.

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Martha Kyrillidou, Program Officer for Statistics and Measurement

SUPPLY AND DEMAND IN ARL LIBRARIES

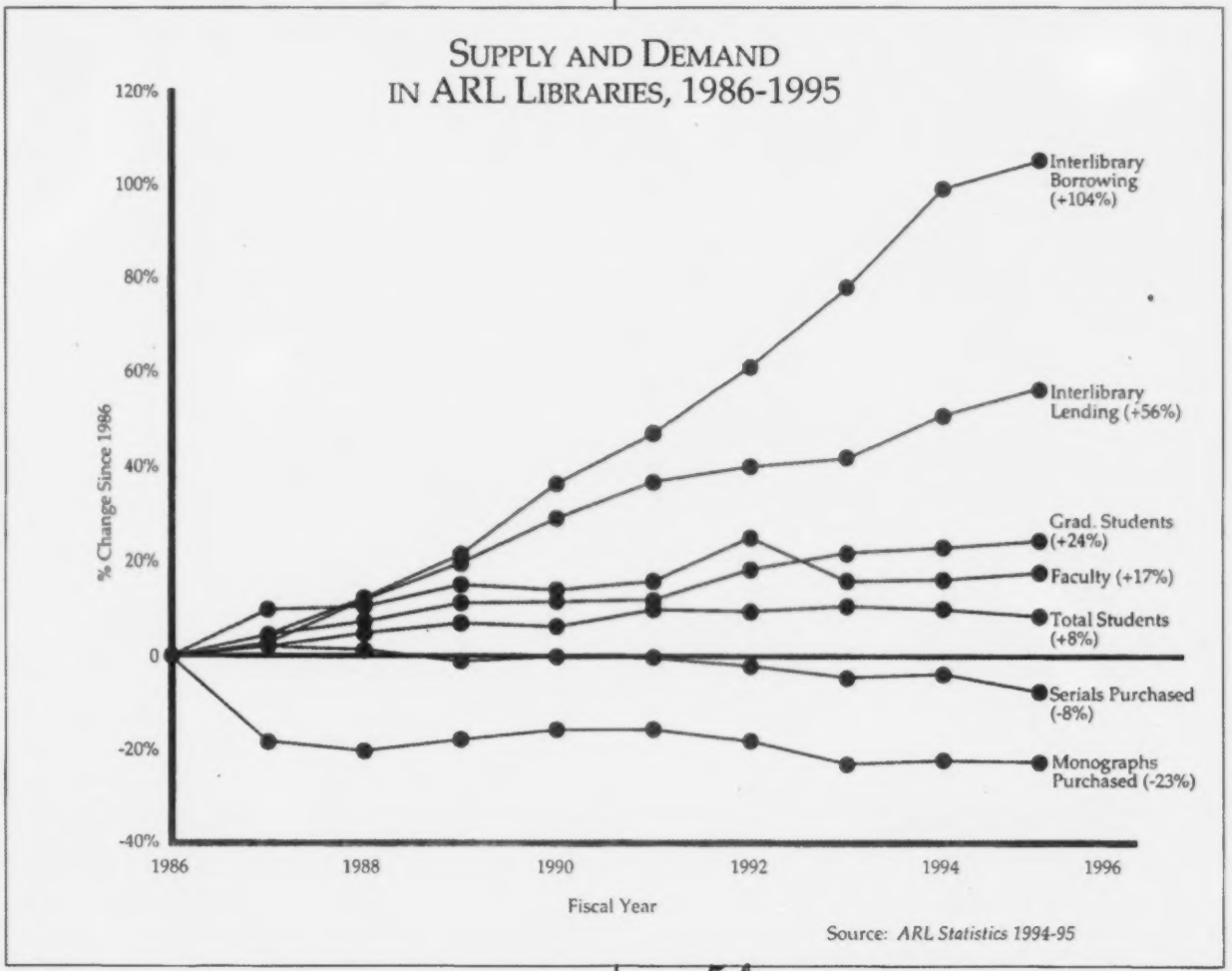
Is the supply of library materials, specifically monographs and serials, meeting the demand for them in ARL libraries? For the past ten years, the number of items acquired has declined while the population needing those items has risen. At the same time, interlibrary loan activity, both borrowing and lending, has risen dramatically. These three factors — declining acquisitions, rising student and faculty populations, and rising interlibrary loan activity — continue to have a great impact on the services provided by ARL libraries.

As reported in *ARL Statistics 1994-95*, monograph purchases have remained somewhat constant since 1993, the median hovering at around 25,700 per year, although that figure is down 24% since 1986. Serials purchases continue to drop, and are down 8% since 1986. The median number of serials purchased in 1995 was 14,942. The costs for these items, however, are still on the rise: monograph and serial expenditures are up 22% and 106% respectively since 1986; the unit prices have respectively risen 58% and 138%.

While costs are rising and acquisitions are declining, the number of faculty has grown 17% and the total number of students has grown 8% since 1986. Graduate students in particular are a growing population, up 24%. Together, they have borrowed more than twice as many items in 1995 as they did in 1986; interlibrary borrowing is up 104%.

Data on other service activities — such as circulation, bibliographic instruction, and reference — also show large increases. Though interlibrary loan activity has increased, it continues to be a small percentage of a library's circulation activity. Interlibrary borrowing is, on average, about 2% of total circulation excluding reserve circulation.

– Kim Maxwell, ARL Research Assistant for Statistics and Measurement



Trends in Preservation Activities

ARL Preservation Statistics 1994-95 is the newly released addition to this long-standing series that describes preservation activities in research libraries. Library activities documented are those that aim to secure the survival of important collections in North American research libraries. Data collected for the last seven years tracks the substantial growth of preservation activities during the late 1980s followed by a leveling off during the last two years. The only exception is a continued increase in preservation microfilming. External funding, especially from the National Endowment for the Humanities, continues to play a pivotal role in sustaining preservation programs, accounting for about 13% of the total preservation expenditures of $79,164,226. Fifty-four percent of these expenditures is spent on salaries and wages, the largest cost center for preservation, and 31% is spent on contract binding. Please consult ARL's online Publications Catalog at <http://arl.cni.org/pubscat/pubs.html> for complete ordering information for the most recent edition of *ARL Preservation Statistics*.

- Jutta Reed-Scott, Senior Program Officer for Preservation and Collections

Summary of Preservation Data 1988-89 to 1994-95

Category	1988-89	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95
No. of Institutions Reporting	107	115	117	119	114	115	115
No. of Preservation Administrators *	66	77	77	76	77	80	81
Total Staff Library-wide Engaged in Preservation Activities	1,620.52	1,760.73	1,744.34	1,867.00	1,841.99	1,900.20	1,912.08
Total Preservation Expenditures	$60,714,802	$66,045,392	$70,705,449	$76,550,655	$76,793,364	$77,674,363	$79,164,226
Conservation Treatment (volumes)	Contract: Minor: 2,336 Interim: 8,393 Major: 4,623	Contract: Level 1: 5,162 Level 2: 4,906 Level 3: 3,090	Contract: Level 1: 3,970 Level 2: 2,317 Level 3: 2,376	Contract: Level 1: 2,979 Level 2: 7,957 Level 3: 2,794	Contract: Level 1: 4,756 Level 2: 3,826 Level 3: 3,208	Contract: Level 1: 2,703 Level 2: 3,054 Level 3: 3,028	Contract: Level 1: 2,513 Level 2: 2,927 Level 3: 1,511
	In-house: Minor: 658,711 Interim: 176,901 Major: 17,113	In-house: Level 1: 682,735 Level 2: 272,464 Level 3: 32,233	In-house: Level 1: 668,597 Level 2: 271,508 Level 3: 16,253	In-house: Level 1: 1,035,955 Level 2: 257,934 Level 3: 21,665	In-house: Level 1: 664,860 Level 2: 262,022 Level 3: 21,033	In-house: Level 1: 680,602 Level 2: 243,421 Level 3: 20,701	In-house: Level 1: 664,110 Level 2: 231,019 Level 3: 24,303
	Total contract: 16,801 Total in-house: 888,868	Total contract: 15,697 Total in-house: 987,432	Total contract: 8,717 Total in-house: 956,358	Total contract: 18,029 Total in-house: 1,316,757	Total contract: 12,278 Total in-house: 952,097	Total contract: 8,424 Total in-house: 982,830	Total contract: 6,951 Total in-house: 950,140
Microfilming	Titles: 75,198 Volumes: 60,502 Exposures: 18,254,133	Titles: 68,904 Volumes: 92,093 Exposures: 23,687,873	Titles: 77,740 Volumes: 123,233 Exposures: 28,264,637	Titles: 93,052 Volumes: 204,934 Exposures: 28,892,445	Titles: 104,818 Volumes: 124,455 Exposures: 32,844,044	Titles: 106,733 Volumes: 127,650 Exposures: 29,900,149	Titles: 133,290 Volumes: 173,646 Exposures: 28,474,292

Source: *ARL Preservation Statistics 1994-95* (Washington, DC: Association of Research Libraries, 1996)

* Figures revised to accommodate the new definition of preservation administrator, defined as one who "spends at least 25% of his or her time managing a partial or comprehensive preservation program."

Mary M. Case, Director

ELECTRONIC PUBLISHING EXPLODES ON THE WEB

The sixth edition of the ARL *Directory of Electronic Journals, Newsletters and Academic Discussion Lists* is hot off the press and the final numbers are in. This year's *Directory* includes 1,093 journal titles, 596 newsletters, and 3,118 discussion lists. Of these three categories, electronic journals increased the most climbing 257% over last year's total of 306. Newsletters increased by 62% and discussion lists by 26%. Since 1991, the total of electronic journals and newsletters has increased over 1,400%.

This phenomenal growth of electronic publishing is due in large part to the rapid increase in popularity of the Web and the ease with which anyone can become a publisher. In addition, several publishers, both commercial and non-profit, have begun to make many of their titles available electronically. There is no question that these trends will continue — individual experimentation with the Web continues unabated, and publishers continue to explore the online environment despite lingering concerns over pricing and intellectual property issues.

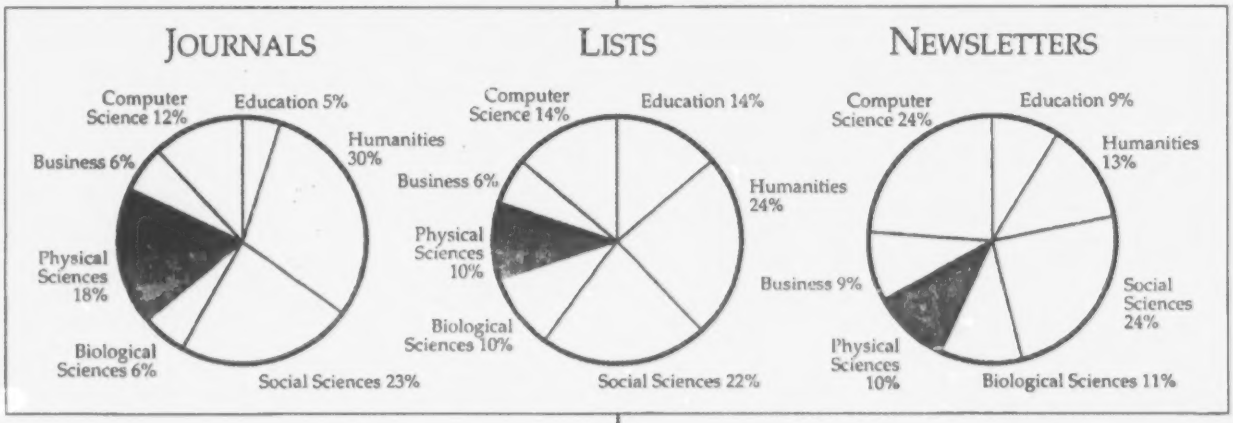
As the more traditional publishers move to electronic products, we are beginning to see an increase in the proportion of titles for which a fee is charged. In the 1994 edition of the *Directory*, 6.5% of the journals and newsletters indicated that they required payment for access, while in 1995 the proportion increased to 11%. In the 1996 edition, 10% of these titles are available on a fee basis only. While the proportions have remained fairly steady, the number of journals and newsletters charging for online access has grown by about 480% since 1994, from 29 titles in 1994 to 168 in 1996. The predominant pricing mode in the current electronic environment is still no-fee access.

Peer review is alive and growing in the electronic environment. In 1994, 73 of the 443 journal and newsletter titles reported using peer review; that number has increased to 517 in 1996, an increase of over 600%. A closer look at the publications which describe themselves as peer-reviewed, however, suggests that this concept may not be well understood by the non-traditional publishers active on the Web. About 25-30% of these titles do not appear to employ the review process as defined in scholarly publishing. Therefore, a more reasonable estimate of the percentage of scholarly peer-reviewed titles is about 20-25% of the current electronic journals and newsletters.

While we have not provided a formal subject breakdown of journals and newsletters in the *Directory* to date (a planned enhancement), we did ask ARL research assistants to undertake a quick analysis of each title using the subject framework developed by Diane Kovacs and her team for the academic discussions lists section. The broad subject areas include: Education and Library and Information Science; Humanities; Social Sciences; Biological Sciences; Physical Sciences; Business, Economics, Publishing, and News; and Computer Science.

The accompanying pie charts show the percentage of titles of journals, newsletters, and discussion lists in each of these categories. Based on this analysis, the largest percentage of journals is in the humanities, followed by the social sciences and physical sciences. If the physical, biological and computer sciences were combined, however, the sciences would be ranked first. For newsletters, the greatest percentages are in the computer sciences and social sciences. Paralleling the journals, the academic discussions lists are most popular in the humanities and social sciences.

The *Directory, 6th edition*, is organized to assist the user in finding relevant publications and discussion groups and connecting to them quickly. Over 90% of the journal and newsletter titles contain URL's and the discussion list entries include subscription addresses. Dru Mogge, ARL Electronic Services Coordinator, and the ARL Directory Staff compiled the journals and newsletters section, while Diane Kovacs, Kovacs Consulting, and The Directory Team created the discussion lists section. The introduction to the *Directory* is by Ann Okerson, Yale University. The nearly 1,200 page *Directory* sells for $79 ($55 members). Please consult the Directory page on the WWW <URL:http://arl.cni.org/scomm/edir/index.html>.



COALITION FOR NETWORKED INFORMATION

Paul Evan Peters, Executive Director

CONFERENCES ADDRESS NETWORKED INFORMATION

This year, two summer conferences addressed a range of issues critical to institutions providing networked information to their constituencies.

INET'96 Conference

The sea-change in the Internet community over the last year, evidenced by both the greater number of sites found outside the United States rather than within its borders and the declining dominance of research and educational applications on the Internet landscape, captured the focus of INET'96. The conference, held in Montreal, Canada on June 25-28 attracted more than 3,000 Internet enthusiasts.

Conference organizer Donald M. Heath, President of the Internet Society, of which CNI is a corporate sponsor, welcomed attendees and introduced the INET'96 theme: "The Internet: Transforming our Society Now." Heath also spoke of one of the conference's unique features, a workshop for developing countries. "From commerce and government to education and social change, the Internet continues to capture our imaginations and challenge our assumptions," said Heath. "What we learn here will help us to more effectively address global policy and economic issues, ethical concerns, and the myriad of technical and social issues in order to ensure the furtherance of a truly global Internet."

Conference speakers presented over 150 papers in over 50 sessions. The topics ranged from one or another "bleeding edge" concern of network specialists including faster and more secure networks, wide-reaching networks, electronic payment devices, and virtual reality.

CNI organized a session on "Internet Content: Rights and Responsibilities" which resulted in a spirited discussion of trademarks on the Internet, licensing and protecting content, and the economic viability of non-profit services organizations like the Internet Public Library based at the University of Michigan School of Information. The speakers were: Joseph James from the Internet Public Library, whose paper was entitled "Not-for-Profit Service Organizations and Economic Viability on the Internet"; David W. Maher from the International Trademark Association, whose paper was entitled "Trademarks on the Internet: Who's in Charge?"; Jessie N. Marshall from the United States Patent and Trademark Office, whose paper was entitled "Domain Names and Trademarks: At the Intersection"; and Isabella Hinds from Copyright Clearance Center whose paper was entitled "Licensing and Protecting Content on the Internet."

Regarding trademark issues at the CNI organized session, discussions focused on such topics as the implications of trademarking laws, policies, and practices on the assignment and use of domain names.

Other conference topics included "The Internet and Mass Media"; "Classroom Access to the Internet"; "Security and Cryptography Directions"; and "Multicultural and Physical Access Barriers in the Networked Environment". The last one examined such concerns as the linguistic implication of standardization of information technology and the Internet and the disabled community.

The conference proceedings can be found at <URL:http://www.isoc.org>, and a CD-ROM of the proceedings is also available from the Internet Society. The INET'97 meeting will be held in Kuala Lumpur, Malaysia on June 24-27, 1997.

Electronic Records Research and Development

On June 28 and 29, a group of archivists, librarians, information technologists, and other information specialists gathered at the University of Michigan's School of Information and the Bentley Historical Library, to consider the progress made by the various projects that the National Historical Publications and Records Commission has funded to address the key questions posed and other priorities proposed at a semiannual meeting held in January 1991.

The Minnesota Historical Society sponsored the five-year old meeting, which was funded by the National Historical Publications and Records Commission. The January 1991 meeting brought together nearly 50 individuals from a variety of disciplines to identify important research and development areas, as well as improve the management of electronic records and enhance their chances for long-term survival. The meeting was motivated by the growing consensus in the archival community that the fragility and disorganization of electronic records are a serious threat to both organizational accountability and the record of the past. The findings and recommendations of this meeting were published as *Research Issues in Electronic Records* (available from the Society and the Commission).

In addition to reviewing the goals, methods, and accomplishments of each of these projects, the June 1996 meeting participants discussed methods of disseminating and using electronic records research, applying the results of such research to graduate and continuing education, the implications of work to-date for further research, and revision and update for the electronic records research agenda.

Information on this meeting and on the projects covered at the meeting can be found at <URL:http://www.si.umich.edu/e-recs/>.

- Paul Evan Peters, Executive Director

FEDERAL RELATIONS

Prudence S. Adler, Assistant Executive Director-Federal Relations and Information Policy

NII COPYRIGHT BILL STALLED; WIPO TAKES UP 'DIGITAL AGENDA'

Although the House Subcommittee on Courts and Intellectual Property has "postponed indefinitely," mark up on H.R. 2441, the NII Copyright Protection Act of 1996. The two main issues of contention are circumvention of copyright protection systems and online service provider (OSP) liability issues.

Many of these stakeholders consider it very unlikely that the House or the Senate will consider this legislation prior to the end of the session. A brief but thorough analysis of the contentious issues causing this deadlock can be found in the June 22, 1996 issue of the *Congressional Quarterly*, "Cyberspace Bill Appears Dead," (page 1752).

ARL, the Digital Future Coalition (DFC), and others are actively monitoring the activities of the World Intellectual Property Organization (WIPO) because the language included in the NII Copyright bills (H.R. 2441 and S. 1284) and in the Database Investment and Intellectual Property Antipiracy Act of 1996 (H.R. 3531) could be included in a treaty that the U.S. Senate would consider in 1997. If this occurs, there will not be a full and complete domestic consideration of these critical copyright and intellectual property issues.

At the end of May, the U.S. delegation to the World Intellectual Property Organization (WIPO), led by Bruce Lehman, Commissioner of Patents and Trademarks, took the provisions included in these bills to a WIPO session in Geneva. (Committee of Experts on a Possible Protocol to the Berne Convention, May 22-24, 1996.) It is anticipated that the Chairman of the Experts Committee, Jukka Liedes of Finland, will submit draft treaty language to WIPO at the beginning of August 1996.

WIPO treaty negotiations on this language are scheduled to occur in Geneva in December 1996. When asked by a Bureau of National Affairs reporter what the Administration would do if the NII bills fail, Lehman commented, "The thing we are going to do is go to Geneva in December. I think that our proposed statutory changes are very modest. The beauty of our NII legislation, the White Paper, is that it provides us with a template for that international system. We are going to see if we can't negotiate some new international treaties and get that straightened out. Now it may be that those treaties will require some legislative implementation. They will certainly have to be ratified by the Senate in any event, but they also might have to be implemented and that gives us a sort of second bite of the apple." (Lead Report, BNA, *Electronic Information Policy and Law Report*, 6/21/96.)

In response to the U.S. delegation's position, the DFC wrote to Vice President Gore and requested that the U.S. delegation to WIPO, "immediately modify the portfolio of the Administration's delegation to WIPO's December 1996 Diplomatic Conference." In addition, the DFC asked that U.S. delegation members:

- "formally propose that, at the December 1996 Diplomatic Conference, WIPO adopt a timetable for future discussion and action on the 'Digital Agenda' that will permit its careful consideration by the 104th and 105th Congresses, and that will permit the United States delegation to take Congressional action into account in subsequent treaty negotiations; and
- "affirmatively work to assure in all appropriate WIPO (and related) bodies that no proposals related to the Digital Agenda, whatever their source, are acted upon prior to Congress' full evaluation of these important issues and action on responsive legislation."

In addition to working with others in the library community and the Digital Future Coalition, ARL is working with a coalition of the commercial sector stakeholders to influence the international discussions. This coalition has also sent a letter to the President and Vice President expressing similar concerns.

Current information on the status of these pending bills including the international ramifications can be found on the DFC Home Page <URL:http://www.arl.net/dfc>.

– Prudence Adler, Assistant Executive Director-Federal Relations and Information Policy

Current as of August 1, 1996.

ARL PROMOTES AWARENESS OF COPYRIGHT CYBERSPACE BILL

ARL has prepared a collection of materials designed to assist librarians and educators in informing their colleagues, campus administrators, legislators, and others on efforts underway to update the U.S. Copyright Act for the National Information Infrastructure. Publication of *Copyright and the NII: Resources for the Library and Education Community* is one in a series of steps ARL is taking to promote copyright awareness within North American higher education and research communities. Included in this compilation are an overview of the Administration and Congressional processes to date, an analysis of the legislative proposals, statements from the key constituencies engaged in the debate, and resources for action. It also includes an assessment of the potential consequences of the legislation, concluding that it could redefine the way librarians and educators carry out their work.

Copyright and the NII: Resources for the Library and

Education Community was edited by Patricia Brennan, Information Services Coordinator. Please consult ARL's online Publications Catalog at <URL:http://arl.cni.org/pubscat/pubs.html> for ordering information.

Senate Considers the Future of the Federal Depository Library Program

On June 18 and 19, the Senate Committee on Rules and Administration conducted a two-day hearing concerning the role of the Federal Depository Library Program (FDLP) in the 21st century. Members of the Committee heard from a wide array of witnesses during the two days including members of the library, federal, and academic communities.

Representatives of both the library community and the Government Printing Office (GPO) were included on a series of panels. These panelists included Wayne P. Kelley, Superintendent of Documents for U.S. Government Printing Office, Daniel P. O'Mahony of Brown University, and Betty J. Turock, President of the American Library Association.

Mr. Kelley of GPO stated that the FDLP needs to be strengthened with continued focus on public access to government information. He also noted that bringing the FDLP into the 21st century requires a sufficient amount of time for libraries and government agencies alike to make the transition and the utilization of the appropriate technology.

GPO recently conducted a study to identify issues regarding the transition to a more electronic FDLP. The study included input from depository libraries, government offices, publishing agencies as well as a suggestion that a 5-7 year transition period is a reasonable time frame for a gradual transition to a more electronic FDLP. Responding to a question by Senator Warner (R-VA) regarding the costs of the transition to a more electronic FDLP, Mr. Kelley stated that after consultation with librarians, federal agencies, and others, it was determined that agencies and libraries are not yet ready to go fully electronic, and that the cost to libraries and users would be high.

Dr. O'Mahony, Government Documents Coordinator at Brown University, echoed many of Mr. Kelley's remarks. He was quick to point out that there is a need for "cautious optimism" in planning the transition to electronic formats. In his statement, he stressed the need for a centralized, coordinated program and the need for stricter enforcement of policies.

Testifying on behalf of the library community (ALA, ARL, AALL, and SLA), ALA President Betty Turock highlighted issues relating to the transition to a more network-based program and the critical role of libraries in the provision of information to many communities. Dr. Turock pointed out that digital formats and paper are not mutually exclusive. She was in agreement with the other witnesses with regard to the 5-7 year time frame but noted that the transition will require a continuing commitment by participating libraries and agencies.

Other panelists included Dr. William A. Wulf, Computer Science Professor at the University of Virginia, Dr. Dennis Galletta, Associate Professor of Business Administration at the Joseph M. Katz Graduate School of Business of the University of Pittsburgh, and Jeanne Hurley Simon, Chairperson of the U.S. National Commission on Libraries and Information Sciences (NCLIS).

Dr. Wulf's testimony focused on the rapid rate of technological growth and the need for libraries and agencies to invest in new technologies. Dr. Wulf stated that although the exact rate of change is impossible to predict, libraries and agencies should proceed with deliberate speed and experiment with new forms of electronic publication.

Dr. Dennis Galletta advised members of the Committee that it is too soon to rely fully on the Internet for access to information. He also highlighted the fact that the World Wide Web has several difficulties, such as slow and unpredictable speeds and frequent Uniform Resource Locator (URL) changes.

Jeanne Hurley Simon of NCLIS stated that the members of the National Commission believe that recent advances in electronic information and communications technologies can increase and improve public access to and use of government information. She also stressed the need for reliable and current statistics on libraries' use of the Internet and/or other networks. In response to a question by Senator Warner regarding the Commission's view of the use of technology for better access, Ms. Simon stated that not only must the needs of the users be addressed, but also the needs of depository libraries must be taken into consideration.

– Ann E. Doty, ARL Research Assistant for Federal Relations

ARL Strategic Plan on Government Information

In July, the ARL Board of Directors endorsed the "ARL Strategic Plan on Government Information and Electronic Formats." Developed by the ARL Information Policies Committee, the plan focuses on education, data gathering, continued political advocacy and policy leadership, and the initiation of pilot projects and collaboration in the development of new models. The plan will be available at the ARL Server <URL:http://arl.cni.org/info.html>.

SPEC ADDRESSES TODAY'S CHALLENGES

The OMS Systems and Procedures Exchange Center (SPEC) has released three new Kits addressing contemporary challenges facing libraries as well as educational institutions as a whole. These timely reports address digitizing technologies; library reorganization and restructuring; and distance education.

Digitizing Technologies

As a result of the recent developments in information technology, the conversion of multiple-format materials into digital images is becoming increasingly widespread. SPEC Kit 214, *Digitizing Technologies for Preservation*, documents the tremendous variety of digital preservation projects underway and describes them in terms of size, scope, and types of materials being digitized, as well as hardware and software chosen for each project. Detailed information is included on current project status; materials selection; indexing and bibliographic control; and staffing and production. More than half of the reporting libraries began by implementing pilot projects as a means of gaining familiarity with the opportunities and advantages that digital technologies offer. The cumulative experience gained from these projects will inform future endeavors.

The *Kit* was compiled by L. Suzanne Kellerman of Pennsylvania State University and Rebecca Wilson of Susquehanna University.

An illustration from SPEC Kit 214, *Digitizing Technologies for Preservation:* Queen Marie of Romania, Photoalbum, "Pelisor," Kent State University.

Library Reorganization and Restructuring

SPEC Kit 215, *Library Reorganization and Restructuring*, compliments SPEC Kit 210, *Strategic Planning in ARL Libraries*. The following quote from one of the responding libraries captures the current environment of a research library: "how to maximize, and encourage flexibility ... while maintaining a structure that will channel energies into filling the libraries' objective of providing services to clients. Achieving this balance was seen as a seismic engineering problem: stability for ongoing functionality with the capacity to absorb stress."

Current services must be maintained while an infrastructure is being built to support the information needs of the 21st century. With a variety of forces currently at work, most notably declining resources and the ability of communications technology to deliver information to the desktop, many libraries are forced to restructure on an ad hoc basis without an opportunity to plan. This *Kit* contains numerous samples of mission and vision statements, organization charts, and updated strategic plans.

The *Kit* was compiled by Joanne Eustis and Donald Kenney of Virginia Polytechnic Institute and State University.

Distance Education

SPEC Kit 216, *Role of Libraries in Distance Education*, examines the policies and procedures surrounding the provision of services to remote students and faculty. While research libraries have a long history of collaborative activities with the faculty and students, as well as with the telecommunications and computing units, distance learning (interactive video) course programs have provided opportunities for expanded library services. Approximately two-thirds of the responding libraries indicated participation in distance education programs; information technology and continuing education units are most often responsible for program administration. Although libraries are offering increased services to support distance education efforts, most heavily through cooperation with the academic departments and the computing center, most libraries do not receive any additional funding or have a distinct budget for such services.

The *Kit* was compiled by Carolyn Snyder, Susan Logue, and Barbara Preece of Southern Illinois University at Carbondale.

Please consult ARL's online Publications Catalog <URL:http://arl.cni.org/pubscat/pubs.html> and <URL:http://arl.cni.org/pubscat/specdesc.html> for ordering information.

–Laura Rounds, OMS Program Officer for Information Services

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ARL Activities

G. Jaia Barrett, Deputy Executive Director

Deborah Jakubs Named Visiting Program Officer for Global Resources

Deborah Jakubs, Head of the International and Area Studies Department of Duke University Libraries, has been named Visiting Program Officer at ARL. Dr. Jakubs will continue the work of Jutta Reed-Scott, who retired in late July as Senior Program Officer for Preservation and Collections Services.

From July 1 to December 31, Dr. Jakubs will focus her efforts on developing the AAU/ARL Global Resources Program, as well as coordinating the work of the three ongoing pilot projects on Latin America, Japan, and Germany. She has served as Chair of the Advisory Committee for the Latin Americanist Research Resources Pilot Project since its beginning.

The Global Resources Program seeks to address the decline in the collective ability of research libraries to acquire and ensure access to a wide range of foreign materials at a time of static budgets. Dr. Jakubs may be reached by email <jakubs@acpub.duke.edu> or through the ARL office.

Transitions

British Columbia: Ruth Patrick has announced she will continue as University Librarian for one more year. The search for a new University Librarian will begin in the fall.

Cornell: Sarah Thomas was appointed University Librarian effective August 19. She is currently Acting Director, Public Service Collections at the Library of Congress.

Duke: David S. Ferriero was appointed as University Librarian and Vice Provost for Library Affairs, effective October 1. He is currently Associate Director for Public Services for MIT Libraries.

Harvard: Nancy M. Cline was appointed Roy E. Larson Librarian of Harvard College, effective September 9. She is currently Dean of University Libraries at Pennsylvania State University.

Maryland: Charles Lowrey was appointed Director of Libraries effective October 1. He is currently Director of Libraries at Carnegie Mellon University.

Pennsylvania State: Gloriana St. Clair was appointed Interim Dean of Libraries effective September. She is currently Associate Dean and Head, Information and Access Services.

Rochester: Ronald Dow was appointed Dean of the River Campus Libraries, effective September 1. He is currently Associate Dean of Libraries for Planning and Administrative Services at Pennsylvania State University.

State University of New York at Stony Brook: Joseph Branin was appointed Director and Dean of the Library effective August 1. He was previously Assistant University Librarian at the University of Minnesota Libraries.

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American Library Association: Elizabeth Martinez has announced she will resign as Executive Director effective January 15, 1997.

Michigan: Jose-Marie Griffiths was appointed Executive Director and Chief Information Officer of the Information Technology Division (ITD) at the University of Michigan. She is currently at the University of Tennessee where she is Director of the School of Information Sciences. Douglas E. Van Houweling is now Vice Provost for Information Technology and Dean for Academic Outreach.

Honors

Ernest B. Ingles, Chief Librarian and Executive Director of Learning Systems, University of Alberta, was honored by the Bibliographic Society of Canada for his major scholarly contributions to Canadian bibliography. He was awarded the Marie Tremaine Medal, the highest honor conferred by the Society, to recognize his role as founding director of the Canadian Institute for Historical Microreproductions as well as author and bibliographer of over twenty publications.

Thomas W. Shaughnessy, University Librarian at the University of Minnesota, is the winner of the 1996 Hugh C. Atkinson Award. The award, administered by four divisions of ALA, recognizes Dr. Shaughnessy for his commitment to public higher education, belief in cooperation, and leadership in the CIC Virtual Electronic Library.

Robert Wedgeworth, Director of the Library at the University of Illinois at Urbana-Champaign, and President of the International Federation of Library Associations, was selected to receive a Medal of Honour by the International Congress on Archives in recognition of "the eminent services he rendered in fostering and strengthening worldwide cooperation between library and archive communities and their international professional organizations and in supporting joint approaches to better solve common professional problems."

GladysAnn Wells, New York State Research Library Interim Director, was recognized by the Special Libraries Association for her achievements in spearheading SLA's public relations activities and for her outstanding service to the library and information science profession at the 1996 SLA Annual Conference.
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187 August 1996

Supply and Demand in ARL Libraries 4
Explosion of Electronic Publishing Reported in Directory 6
NII Copyright Bill Stalled; WIPO Takes Up 'Digital Agenda' 8

CALENDAR 1996-1997

1996

August 25-31	International Federation of Library Associations Beijing, China
October 8-11	EDUCOM '96 Philadelphia, PA
October 13-16	LITA/LAMA National Conference Pittsburgh, PA
October 15-18	**ARL Board and Membership Meeting Washington, DC**
November 18-20	NASULGC Annual Meeting San Diego, CA
December 3-6	CAUSE San Francisco, CA
December 6-7	Coalition for Networked Information Fall Task Force Meeting San Francisco, CA

1997

February 6-7	**ARL Board Meeting Washington, DC**
February 14-20	American Library Association Washington, DC
April 1-2	Coalition for Networked Information Washington, DC
April 11-14	ACRL National Conference Nashville, TN
May 13-16	**ARL Board and Membership Meeting Albuquerque, NM**
June 26-July 3	American Library Association San Francisco, CA
July 28-29	**ARL Board Meeting Washington, DC**
October 14-17	**ARL Board and Membership Meeting Washington, DC**

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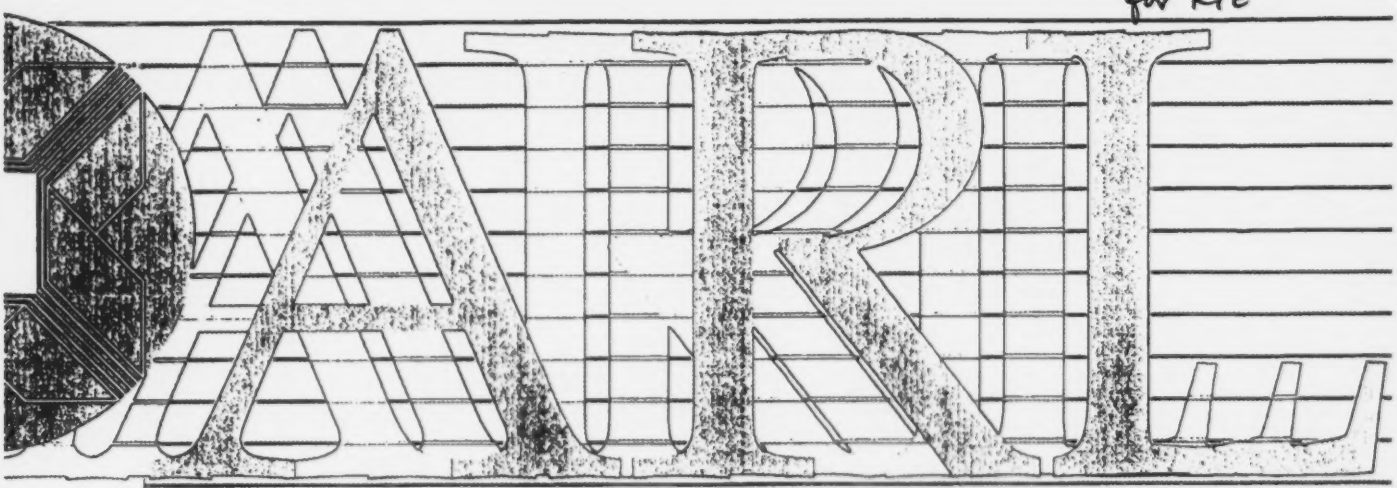

A BIMONTHLY NEWSLETTER OF RESEARCH LIBRARY ISSUES AND ACTIONS

188 Review of Recent Literature in Management 4
Teaching and Learning in Cyberspace 8
Increase in Serial Cancellation Rates 10

October 1996

Current Issues

THE DIVERSITY NECKLACE:

REFLECTIONS ON THE STATE OF THE ART IN CANADIAN RESEARCH LIBRARIES

by Toni Olshen, Associate University Librarian, York University

As a result of my work as Visiting Program Officer with Kriza Jennings and the Diversity and Minority Recruitment Program from November 1995 through May 1996, I have identified several issues that impact upon the shape of a library-wide diversity program for Canadian universities. The impetus for exploring ARL's diversity program with Canadian institutions sprang from a diversity concern close to home: ARL membership is predominantly made up of American university libraries but it also has some public, government, and Canadian libraries as members. There are, in total, 15 ARL members across Canada so the question we wanted to answer was: Is the well-developed eight-component ARL library-wide diversity program relevant to Canadian libraries?[1]

When introducing diversity efforts in our libraries and on our campuses, we are several steps ahead if we can utilize existing research on diversity and existing models at other institutions. Identifying effective models for administrators, staff, faculty, and librarians to create change has been part of my ongoing research. In November 1995, I distributed a call for information on diversity activities to the twenty-nine members of the Canadian Association of Research Libraries (CARL). I received fifteen responses, nine of them from ARL libraries. One objective was to take a snapshot of diversity activities in the libraries and assess their relation to a diversity agenda on campus. Another objective was to identify some of the factors that differentiate Canadian and U.S. approaches to diversity.

Kriza and I made four site visits to Canadian universities: the University of Guelph (14,000 students) in rural Ontario, the University of Toronto (50,000 students) and York University (37,000 students) in Toronto, one of the world's most multicultural cities, and the University of Victoria (16,000 students) on Vancouver Island, B.C., part of Canada's Pacific Rim. These institutions represent different points on a diversity continuum. We met with as many people as possible on campus with an interest in, knowledge of, or concern about diversity issues.

Think of a university-wide diversity program as a long-range plan with many components that are well publicized and well understood. A metaphor that comes to mind is a necklace, with several well-crafted and colorful beads strung along a cord, that fits comfortably around the neck and can be pointed to with pride. As of now, my research indicates that there are no multi-faceted diversity programs on Canadian campuses. There are, however, institutions which have begun to string together some very impressive beads.

The history, legislation, political principles, and social climate that shapes Canadian universities come together to function as the cord needed to create the support for campus-wide diversity initiatives. I have identified these strands that make up the cord in the resource book *Canadian Perspectives on ARL's Library-wide Diversity Program.* The existence of these strands led me to conclude that ARL should indeed bring a library-wide diversity program to Canada, one that recognizes the unique characteristics of the Canadian experience.

Examples from Canadian universities in general and academic libraries in particular illustrate four themes that relate to Canadian interpretations of the broad ARL diversity definition, i.e. those human qualities or characteristics that make people different,

unique, the same, and similar. These themes are:

- the multicultural nature of the Canadian population and the contrast between the "mosaic" of multiculturalism in Canada and the "melting pot" in the United States;
- human rights and the focus on anti-racism;
- employment equity for four designated groups; and
- the promotion of the concept of education equity in Canadian higher education at the same time that government support is shrinking and privatization is becoming a hot post-secondary issue.

Multiculturalism

The establishment of multiculturalism as government policy began with Prime Minister Pierre Elliot Trudeau's Statement to the House of Commons, October 8, 1971.

> *A policy of multiculturalism within a bilingual framework [English and French] commends itself to the government as the most suitable means of assuring the cultural freedom of Canadians...National unity, if it is to mean anything in the deeply personal sense, must be founded on confidence in one's own individual identity, out of this can grow respect for that of others and a willingness to share these ideals, attitudes, and assumptions...It can form the base of a society which is based on fair play for all.*

This commitment to diversity has been strengthened on a federal level with the passage of the Charter of Rights and Freedoms in 1985, the Employment Equity Act in 1986, and the Multiculturalism Act in 1988.

Multiculturalism represents a distinctive way of thinking about diversity. Racial or ethnic minorities are entitled to recognition of their culture as well as to attainment of equality at political, social, and economic levels. Ethnocultural differences are thought of as an integral part of Canadian life and promoted through active government intervention.

A demographic profile of Canadian society reveals that there are three major forces: the Aboriginal Peoples, the colonizing groups — both English and French — and the racial and ethnic minorities who fall outside the charter group categories, those native- and foreign-born Canadians with non-French and non-British ancestry. Historically, the majority of immigrants to Canada were of various European backgrounds. However, lately there has been an increase in immigration from other sources, particularly Asia and South America. The proliferation of immigrants and refugees from non-conventional sources has contributed to an emergent multicultural mosaic. This demographic diversity is sustained by the recent resurgence of ethnic pride and affiliation. Not only are Canadians more diverse as a result of changing immigration patterns, but many have also chosen to identify with select elements of their cultural, historical, or linguistic past, both individually and collectively.

Multiculturalism has proved to be a controversial social policy. Early indications were that Canadians supported the concept of multiculturalism although the degree of support varied across the country. More recently, however, opposition to the policy has surfaced. This has coincided with increased immigration from non-European sources. Attitudes toward multiculturalism are known to vary according to region, ethnicity, financial status, educational levels, age and characteristics of particular communities.

The mosaic metaphor with its emphasis on the principle of different but equal when applied to language and culture contrasts with the American, the melting pot where everyone is expected to assimilate. Over and over again people we talked to during site visits remarked that Canada's mosaic concept of pluralism leads to an emphasis on those things that make us different from one another. Value is placed on maintaining unique ethnic and cultural heritages, which should be respected by the community at large. This belief is the reason that ARL's broad, expansive definition of diversity is so attractive. It encompasses so many other aspects besides race and ethnicity that everyone has something to relate to above and beyond the characteristics of their particular group that defines them as the same or similar.

Human Rights and Anti-Racism

A central thrust of the Charter of Rights and Freedoms that came into effect in April 1985 is the elimination of all forms of discrimination by guaranteeing both equality and fairness to all under the law, regardless of race or ethnicity. This is evident from the preamble to the Charter and in the key clause (15:1):

> *Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, color, religion, age, sex, or mental or physical disability.*

In May 1996, the Supreme Court ruled that the rights of gays and lesbians are protected by the Charter of Rights and Freedoms.

Anti-racist work in Canadian educational circles is firmly rooted in the awareness that race and racial discrimination are systemic and embedded within the policies and practices of institutional structures. The goal is to change organizational policies and practices which have a discriminatory impact and to change individual behaviors and attitudes that reinforce racism. Canadian universities are up front and proactive about anti-racism initiatives. Several institutions have written anti-racism policies as a starting point, rather than a conclusion to the process of institutional change.

Employment Equity

Commitment to diversity in Canada has never been more evident than in the assumptions underlying

affirmative action policies and programs. One of the most contentious affirmative action programs promotes employment equity. The federal Employment Equity Act of 1986 ruled that visible minorities, women, Aboriginal peoples, and persons with disabilities are to be represented in the workplace in numbers proportionate to their presence in the local workforce and are not to be denied employment opportunities for reasons unrelated to ability or merit.

Under the government's influential Federal Contractor's Program, companies - including universities - with at least 100 employees that have taken on federal contracts worth over $200,000, are required to comply with government employment equity provisions. Accountability is built in by means of periodic reviews and mandatory reports. Provincial employment equity laws are also in place although a change in some governments have resulted in their repeal. Nevertheless, the Federal Contractor's Program remains a prime mover in employment equity practice across Canada.

Educational Equity

The concept of educational equity in higher education focuses on improving access and retention of under-represented, educationally disadvantaged groups. Universities are particularly ripe for reform because minority group participation in higher education is seen as a path towards social and economic equity with other Canadians. In addition there is a need to provide a supportive and welcoming learning environment for all students. Educational equity initiatives address issues such as: access, curriculum, climate, and teaching practice.

Canadian universities are under increasing pressure to respond to diversity with fairness and sensitivity. Federal and provincial statutes are forcing public organizations to examine the impact of their policies and structures on members of diverse groups. At the same time, socio-economic barriers to access to post-secondary education are becoming greater with cutbacks to universities, increasing tuition fees, and declining opportunities for employment. As shrinking government support redefines assumptions about higher education, universities are thinking about alternative funding. They are thinking about fee deregulation, that is, more freedom to charge full prices for professional degree programs, and less government control. A shift from public to private realms alarms students who previously paid about 20% of the share of their education and over the last five years are moving toward paying 50% of their education costs. The concern is that a two-tier (public/private) education system will erode Canada's postwar commitment to accessible, affordable mass education.

Stringing the Beads

As expected, there is no single Canadian perspective on diversity. The situation changes from region to region and institution to institution. Presently, on an institutional level, there is a growing interest in diversity and equity issues, policies are on the books relating to these matters, and offices are in place to act as educational, advocacy, and complaint centers.

One of the reasons for an interest in the ARL diversity program in Canada is that the universities have emphasized equity and diversity as an institutional goal. A library diversity program thus furthers the goals of the university. A few institutions have made these issues a priority and are now struggling to make their policies operational in the hearts and minds of community members but the majority have not yet reached this stage. Some libraries, by actively working to further the diversity agenda within the library, have taken a leadership role on campus. One hopes that a library's diversity program may serve as a model for the larger institution. Libraries see the ARL initiatives as a catalyst to additional thinking, planning, and action.

Times of constraint do not undercut the need for diversity as a document by the Council of Ontario Universities, *Keeping Equity in the Decision-making Process*, eloquently points out:

> *Focusing on equity has not been at the expense of excellence but rather in the service of excellence. We have been attempting to increase faculty diversity not because of legislation but because we have wanted better institutions. We have focused on career development for administrative staff not only because this will make our 'employment equity' numbers look better, but because we want to ensure that everyone's full potential is realized. We have attempted to diversify curriculum not because of 'political correctness' but because we want to teach at the 'cutting edge' of academic scholarship and to have our teaching reflect the needs of our students.*[2]

The diversity necklace is too valuable to allow it to be unstrung.

One of the successful features of ARL's treatment of sensitive diversity issues in the U.S. is the telling of stories that make an immediate connection between the listener and the idea being communicated. We need to start collecting Canadian narratives that will serve the same purpose. Keeping in mind the characteristics of diversity as they play themselves out in the Canadian context, the eight-component ARL framework has great validity on Canadian campuses. The vocabulary changes[3], the narratives change - and then the program will be effective in Canadian research libraries.

[1] ARL's diversity program was described in *ARL* #180, May 1995, pp. 12-13. See also the program information on the WWW <URL:http://arl.cni.org/diversity/diversity.html>.

[2] Council of Ontario Universities, Committee on the Status of Women and the Committee of Employment and Educational Equity, *Keeping Equity in the Decision-Making Process*. Toronto: COU, 1995, p. 4.

[3] See the "Glossary of Diversity Terms from a Canadian Perspective" in *Canadian Perspectives of ARL's Library-wide Diversity Program*, p. IC. This resource book is available from ARL; contact Marianne Seales (marianne@cni.org).

RECENT LITERATURE IN MANAGEMENT AND LEADERSHIP — SELECTED REVIEWS

by Kathryn J. Deiss, Program Officer for Training

Many have presumed that the literature on management and leadership topics peaked at approximately the same time that business school admissions began to level off. However, what we are experiencing is a veritable publishing explosion of books on these subjects varying widely in quality and type. Below are reviews of three of the best recent books that may have immediate practical use for leaders and managers in libraries.

Creating Effective Teams

Tools for Team Excellence: Getting Your Team Into High Gear and Keeping It There by Gregory E. Huszczo (Davies-Black Publishing, 1996), helps organizations think through, from inception to action, the steps involved in creating effective teams. Huszczo is professor of Organizational Behavior and Development in the Management Department of Eastern Michigan University, and a consultant in both the public and private sectors. Publication by the publishing arm of Consulting Psychologists, the organization that produces the Myers-Briggs Type Indicator (MBTI) instruments, might raise the question of editorial perspective. However, this book is remarkably practical in its intent and, though there is a section on MBTI and teams, it by no means dominates the author's perspective.

Huszczo includes numerous exercises as well as case studies to help teams and team members learn and grow in their new relationships to one another and to their organization's work. His chapter, "Preparing Organizations for Teams," is one of the most thoughtful and complete in all of the literature on teams. He then moves through preparing team members for change, key components of effective teams, identifying and developing individual and team talent, task-role clarification, problem-solving, constructive interpersonal relationships, and evaluation. Organizations that have teams or are moving toward teams should seek out this volume. Additionally, all organizations should look at it, whether they are organized by teams or not, since Huszczo so clearly steps through the thinking process that should occur in organizing any group of people to perform work.

The Role of the Manager

Stop Managing, Start Coaching! How Performance Coaching Can Enhance Commitment and Improve Productivity by Jerry W. Gilley and Nathaniel W. Boughton (Richard D. Irwin, 1996), looks at the manager's essential role as one of coach. Gilley is professor of Human Resource Development at Western Michigan University, and Boughton is a Human Resource Management Consultant in Atlanta. This book will be useful to all managers regardless of administrative level. It may be of most use to assistant/associate university librarians, department heads and/or team leaders, and human resource officers. *Stop Managing, Start Coaching* is designed as a handbook to performance coaching. While some elements of this new coaching role, such as feedback giving, have been discussed before, some areas that have been discussed less frequently, such as training and confronting, are also explained in detail. The chapters include models, step-by-step suggestions, and explanations of disciplines not common to managers, such as using transfer of learning strategies to improve performance.

A unique part of *Stop Managing, Start Coaching* is a discussion of the need to reengineer the human resource development process. Most books on management, especially handbook types of books, do not speak to the human resource development activities that may be part of the larger organization and by which individual managers are governed, restrained, or empowered in their efforts to coach employees reporting directly to them.

This book presents a fresh perspective on the essential and evolving role of the manager. It can be recommended for the directness of its explication and for the meaningfulness of the coaching role as organizations move toward the learning organization model.

Importance of Learning

Speaking to the importance of learning is *Learning as a Way of Being* by Peter Vaill (Jossey-Bass, 1996). Peter Vaill is known to many as the author of the book *Managing as a Performing Art* (Jossey-Bass, 1989). He is professor of human systems and the Director of the Ph.D. program at the School of Business and Public Management, George Washington University, and a well-known speaker and consultant. In his new book, *Learning as a Way of Being*, Vaill challenges our preconceptions about learning — and teaching/training/instructing. His view is that institutionalized learning, while worthy, does not create empowered learners nor a true existence of continual learning. Students in MBA programs, participants in adult learning courses, and members of organizations in training programs are all learners in an institutionalized learning setting; here, the expedient "right answer" takes the place of active inquiry, deep and self-directed exploration, and testing on the part of each individual.

In this book, one of the most important management books of the decade, he calls on us to collectively and individually learn to learn differently — continually — in order to effectively navigate the "permanent white

water" of change we find ourselves in. He also proposes that continual learning should be a constant — a "state of being."

His choice of the word "being" in the title is quite purposeful — he uses it to describe the "whole" person. This includes everyday existence at work and outside of work, conscious awarenesses and the unconscious itself. He further explores the metaphor, introduced in *Managing as a Performing Art*, of "permanent white water" to describe the ever-changing environment. His premise is that permanent white water introduces novel situations that require us to act in ways we may never have thought of before or in combinations of ways which introduce further change. His proposition that we can do this by treating learning as a state of being, is a compelling proposition. The premise implies the use of personal skills to assess completely new situations — powers of observation, introspection, and knowledge gained from previous experiences.

This is not only a practical and inspiring book for leaders, consultants, educators, and trainers, but it is essential to the literature that supports the concepts underlying the learning organization.

New OMS Series Presents Library Technology Innovations

Transforming Libraries is OMS' newest means of bringing you information about developments in member libraries and beyond. Published as a subseries of SPEC, *Transforming Libraries* will be issued four times a year, with each volume focusing on a different innovative application or aspect of library technology.

Transforming Libraries aims to encourage innovative activity in subscriber libraries while putting subscribers in touch with people who are leading technological change in all types of libraries.

The series will take a very different approach from SPEC, which provides a survey-based summary of current operational practices in ARL member libraries. It will focus on how libraries are using technology to transform services and operations. In an attempt to be timely and up-to-date, *Transforming Libraries* will take a reportorial approach to its topics, seeking out libraries that are trying new applications of technology and bringing to you their experiences while they are still innovative.

A key feature of the *Transforming Libraries* series will be its presence on the Internet <URL:http://arl.cni.org/transform/>. Each issue will contain a direction to a website, which will be managed by a guest Editorial Advisor who is respected in their field. Whereas *SPEC Kits* provide documentation in print, this site will be a place to find both documentation and links to sites related to the technology featured in the particular issue. It will also be a site where readers can advance their own ideas and reactions.

Future topics under consideration for this series include: distance education, geographic information systems (GIS), and licensing. We invite feedback on this series and are soliciting information on innovative practices.

The first issue, *Transforming Libraries: Issues and Innovations in Electronic Reserves* (also *SPEC Kit 217*) focuses on a topic of growing interest to academic libraries and of potential interest to all libraries. The discussion starts with an overview of the need for non-paper-based electronic reserve systems. From there the paper presents the critical choices that must be made in the early stages of planning. The summary experiences of eight institutions and several vendors, complete with contact information, are included. Finally the report identifies other trends and postulates the future of e-reserves as a viable service.

The issue was researched and written by Transforming Libraries Editor, George Soete. The Editorial Advisor for this issue is Jeff Rosedale, Head, Access and Technical Support, Lehman/Social Work Library, Columbia University. Jeff is also the manager of the ARL Listserv on Electronic Reserves, which you can access at <gopher://arl.cni.org:70/11/access/eres>.

— Laura Rounds, OMS Program Officer for Information Services

OMS Surveys *Information Technology Policies*

The goal of this survey and resulting *SPEC Kit 218* was to gather and present data on the development of institutional information technology policies and guidelines for responsible computing and use of electronic information; to identify the scope of such policies and guidelines; and to determine the role of the library in the development and/or use of the policies and guidelines.

Specifically addressed are promoting user awareness of policies; the participants in developing those policies; the relationship to other institutional policies or guiding principles; issues concerning access and use; Internet access, personal homepages and linking to commercial sites; copyright and intellectual ownership; areas for future policy development; incidents of improper computer usage; and who should be developing these policies: the institutions or the federal government.

The survey was conducted by Diane Bisom and Shirley Leung of the University of California-Irvine.

— Laura Rounds, OMS Program Officer for Information Services

STATISTICS & MEASUREMENT

Martha Kyrillidou, Program Officer for Statistics and Measurement

FREMONT RIDER'S LEGACY

by Robert E. Molyneux, Assistant Professor, College of Library and Information Science, University of South Carolina

We marked the fiftieth anniversary of the publication of Fremont Rider's *The Scholar and the Future of the Research Library* in 1994. Rider argued that, given their historical pattern of growth, research libraries would have to change radically because they would grow so large so quickly that their very size would force changes in operations. This work was one of several of his that sounded an alarm about the implications of growth to academic libraries in the near future.

Rider's conclusions about the nature of library growth have continued to be influential. For instance, *The Scholar* has been described as "seminal" by one writer and Rider's work "near-venerable" by another. Rider's conclusions about the nature of academic library growth (that libraries double in size every sixteen years) are still repeated although subsequent research has shown this prediction to be incorrect. However, it is safe to say that Rider is best remembered for something that he was wrong about but forgotten about many things he was right about: among them, the consequences of rapid growth of large libraries.

Institution	1945 Volumes Held	1995 Volumes Held
Brown	648,469	2,762,196
California, Berkeley	1,260,504	8,242,196
Harvard	4,702,292	13,143,330
Indiana	590,036	5,677,326
Virginia	443,128	4,165,805
Institution	**Staff**	**Staff**
Brown	50	252
California, Berkeley	82	664
Harvard	154	1,116
Indiana	68	479
Virginia	61	359

* Figures from 1945/95 were used for comparison purposes.

At the time he wrote the book, Rider was the Librarian at Wesleyan University in Middletown, Connecticut. He had a varied career, having spent most of his life in publishing. If you had traveled in the 1920's you might have purchased his travel books on Bermuda (1924), California (1927), New York City (1924), or Washington, DC (1928). He also wrote *Are The Dead Alive?* (1909), a book he classified as "Psychical Research," and *The Great Dilemma of World Organization* (1946) which dealt with the post-WWII world. He also wrote pulp fiction. His interests, clearly, were broad.

After coming to Wesleyan, Rider began to write about libraries and his work can be characterized as visionary because he was a careful observer and was able to extrapolate from what he saw. *The Scholar* is best remembered for its conclusion that libraries double in size every sixteen years. But let Rider speak for himself with two often quoted passages: *Every scrap of statistical evidence that we can gather shows that, as far back as we can reach, the story is exactly the same. It seems, as stated, to be a mathematical fact that, ever since college and university libraries started in this country, they have, on the average, doubled in size every sixteen years.* (p. 8)

In addition, the pattern is consistent: *Research library growth has continued, without any significant change of rate, either downward or upward, for over thirty decades, and at a rate so uniform over so many years, and so uniform in so many different libraries, that it might almost seem as though some natural law were at work.* (pp. 15-16)

This talk of "natural laws" is heady stuff and subsequently there have been a number of articles written on this question and Rider's conclusions. Unfortunately, the data simply do not support his ideas about the consistent, mathematical nature of library growth. We now know that libraries do not double in size every 16 years, the data are not uniform, nor is there a natural law to help us predict library growth.

Nonetheless, Rider did grasp the fact of growth and did electrify the library world with his predictions. He was also right in the relentless implications of growth. Consider the size and staff of a sample of libraries in 1945, the year after *The Scholar* was published and compare the numbers with today. (See accompanying box.)

Clearly, managing these institutions in 1945 was a simpler task that it is today and Rider understood that fact first. It is interesting to speculate what our colleagues in 1945 would have thought if they could have known that so many ARL members today would be bigger than Harvard was then.

It is largely forgotten today that Rider suggested an ingenious solution for the "problem" of size in *The Scholar:* microcards. It is also forgotten the argument for this solution consumed the bulk of the book (217 pages), while his argument about the nature of this growth took only 17 pages.

Rider sought other solutions to the rapid increase in the size of libraries he foresaw. Probably the ideas that caused the most controversy were those dealing with binding and shelving because he favored a type of compact shelving including shaving the books to make them smaller!

Characteristically, after Rider retired from Wesleyan he continued working. He founded the Godfrey Memorial Library, a genealogical library in Middletown, wrote *Rider's International Classification,* a classification system for smaller libraries, and an autobiography. No other work of his, however, had the influence of *The Scholar,* a work still influential after fifty years.

FEDERAL RELATIONS

Prudence S. Adler, Assistant Executive Director-Federal Relations and Information Policy

SENATE CONSIDERS A NEW INTELLECTUAL PROPERTY ORGANIZATION

On September 18, the Senate Judiciary Committee conducted a hearing concerning "The Omnibus Patent Act of 1996" (S.1961), legislation introduced by Senator Hatch (R-UT) to reform the U.S. Patent and Trademark Office (PTO) and potentially sever the ties between the Library of Congress and the U.S. Copyright Office.

Among those testifying were Senator Frank R. Lautenberg (D-NJ), Bruce A. Lehman, Commissioner of Patents and Trademarks, Marybeth Peters, Register of Copyrights, and William Patry, Professor of Law at Yeshiva University.

In his statement, Bruce Lehman emphasized support by the Administration for many of the reforms proposed by Senator Hatch. He stressed the fact that because the PTO relies on revenue from fees, there is a need for "operational flexibility" in order to serve the public in a more efficient manner. He also suggested that the reinvented office, which would be called "The United States Intellectual Property Organization," be a performance-based organization (as envisioned by Vice President Gore) in which it has "greater accountability and responsibility."

Mr. Patry also expressed support for the legislation and added that the Copyright Office was "a poor stepchild," a reference to the seemingly small amount of the Library of Congress budget that is allocated to the Copyright office.

Marybeth Peters expressed serious concerns about the proposed legislation, especially with regard to Title I, which includes plans for removal of the Copyright Office from the Library of Congress. These concerns reflect those of many in the library and publishing communities. Studies conducted by the Copyright Office show that with the reforms proposed in S. 1961, fees for registration of copyright would increase by five times the current amount. According to Ms. Peters, this rise in fees would cause registrations to decrease, thus diminishing access to many works.

Some members of the Committee, including Senator Thompson (R-TN) and Senator Simpson (R-WY), questioned the need for such reform and were highly skeptical. Senator Thompson stated that he wondered whether this was a solution in search of a problem.

ARL, other members of the Shared Legal Capability, the Association of American Publishers, and the National Humanities Alliance sent a joint letter to the Committee that stated:

No action should be taken to move this proposal toward enactment until the Committee has had a full opportunity to consider the concerns of authors, publishers, libraries, and other producers and users of copyrighted works regarding potential adverse consequences that are likely to result from the legislation's proposed requirements for the Copyright Office to become entirely self-supporting through its service fees, while also providing one-third of the annual budget for the proposed new Office of the Commissioner of Intellectual Property. We believe these consequences will include exorbitant increases in copyright registration and recordation fees which can be expected to trigger substantial reductions in the number of registrations and accompanying deposits of copyrighted works at the Copyright Office; in turn, these reductions in registrations and deposits can be expected to harm significant U.S. cultural, educational and business interests by impeding the copyright database activities of the Library of Congress.

It remains unclear whether the benefits for intellectual property policy-making which are supposed to result from the restructuring are in fact likely to occur, or whether any benefits in this area would be outweighed by the loss of other public benefits that have flowed from the special relationship that has existed between the Copyright Office and the Library of Congress for well over a century. Historically, the Copyright Office's placement within the legislative branch has allowed it to be an independent voice for ensuring balanced treatment of copyright-related matters.

Based on the testimony of the witnesses, statements from others in the library and publishing communities and opposition from others on the Judiciary Committee, Senator Hatch agreed to pull Title I with respect to the Copyright Office from the legislation and to reconsider this matter at another time. Provisions in this and another copyright-related bill, H.R. 1861, the Copyright Clarifications Act of 1996, failed to pass the Senate prior to the end of the session.

— Ann Doty, Research Assistant for Federal Relations

CONGRESS PASSES ELECTRONIC FOIA

On September 17, the House and Senate passed the Electronic Freedom of Information Amendments Act of 1996, H.R.3802 and S.1090. President Clinton signed H.R.3802 into law on October 2, and noted that, "[o]ur country was founded on democratic principles, and for 30 years, FOIA has supported these principles...the Electronic Freedom of Information Act Amendments of 1996 reforges an important link between the United States Government and the American people."

The legislation updates the Freedom of Information Act to make government records available in electronic format. The legislation explicitly requires that agencies honor requests for information in electronic format although this has been an accepted practice for several years. The legislation includes a number of other provisions including:

- extends the length of time from 10 to 20 days for agencies to comply with FOIA requests;
- directs agencies to use electronic media and formats including the Internet to make information more accessible; and
- mandates better record keeping measures by agencies.

COALITION FOR NETWORKED INFORMATION

Paul Evan Peters, Executive Director

TEACHING AND LEARNING IN CYBERSPACE

Declaring he was addicted to cybersurfing and just could not quit, Virginia Tech graduate student Cem Ünsal intrigued and amused attendees at the CAUSE/CNI Southeast Regional Conference held September 12-13, 1996 in Roanoke, Virginia. Participants attended a range of plenary sessions and seminars that examined the theme of the conference, new modes of "Teaching and Learning in Cyberspace."

Barbara J. Ford, Executive Director, University Libraries at the Virginia Commonwealth University, and incoming president of the American Library Association, affirmed the value of the experience: "The conference addressed important topics that are key to dealing with the intellectual and values issues associated with using technology in an academic setting."

Ford also gave a presentation at a session entitled "Strategies for Access to Digital Information." Ford and her co-presenter Joan Cheverie, Visiting Program Officer for the Coalition for Networked Information, described opportunities for increased access to networked information.

Touted as the cheerleader of education technology, University of Illinois at Urbana-Champaign Professor Burks Oakley II, set the tone for the conference with his keynote address entitled "The Virtual Classroom: Silicon and Fiber Replacing Bricks and Mortar." Oakley, who is also the Associate Director of the Sloan Center for Asynchronous Learning Environments (SCALE), described his university's use of networked computers to implement innovative teaching and learning experiences.

Through student-wide network access and the latest uses of networked information, professors at the University of Illinois address common university problems including retention, rapid feedback, and access to faculty, explained Oakley. He also demonstrated professors' use of the WWW to engage and communicate with students: "The Web gives them (students) mental imagery that they wouldn't have received from a textbook."

A captivating visual presentation filled with examples of syllabi on the WWW as well as professor/student/teaching assistant Internet chat groups aided Oakley in what many attendees described as an "invigorating" session.

"Burks Oakley had such high energy. He is an innovator and he's accomplished some great things," said Jayne Salvo, Productions Manger of the Brevard Community College-run WBCC TV 68 in Florida. Jerry Niebaum, Executive Director of the Information Technology Services at the University of Kansas, concurred: "The session was extraordinarily good. It stimulated your thinking about what you need to be doing at your own institution."

Some of the ideas Oakley asserted that institutions could be doing include what he termed distance interaction. "Universities could build learning communities of students not physically on the campus," explained Oakley. Through dorm room access to the WWW, for example, students could view their weekly assignments on the WWW and ask questions via email.

Sessions such as that of Anne S. Parker, Interim Executive Director, Planning and Policy, Information Technology Services at the University of North Carolina at Chapel Hill, and Patricia Wand, University Librarian, American University, delved into specific campus information policies of the teaching and learning networked environment that Oakley examined. Both spoke of the importance of articulating the rights and responsibilities of users in the online environment including, for example, the appropriate behavior of students in academic versus non official homepages and the idea of policing that environment.

"The police issue question is intriguing. We must decide our role especially in an academic setting where there are guidelines that help students learn what is appropriate in many areas," said an attendee.

Specific student's opinions of technology in instruction were the subject of the session entitled "The Student View of Technology in Instruction." Four Virginia Tech students opined about the use of technology in their courses. The students' majors ranged from technical to non technical concentrations and accordingly, their cyberspace experiences varied.

Attendees found this session one of the most useful, according to Wendall A. Barbour, Vice President for Information Resources at California State University in Bakersfield, "It was extremely helpful to hear the students and find out what their interests were." Buddy Litchfield, Science Reference Librarian at Virginia Tech, stated, "I was glad to hear the students were benefiting from the networked environment and that they appreciate it." Mitchell E. Counts, Director of the Law Library at Baylor University, concurred: "We seldom get to discover what the student's think and it is great to know that they are so successful in this environment." Robert Hansen, Professor of Computer Science at Hollins College, gave his perspective on the session: "It was an interesting and frank student discussion and I felt reinforced from such a positive response, especially to email."

Equally positive responses resulted from the session entitled "Electronic Theses and Dissertations: Unlocking Access to Graduate Research." Gail McMillan, Director of the Virginia Tech Libraries' Communications Project and the Head of the Special

Collections Department, spoke of the policies, procedures, and training for faculty and students developing at Virginia Tech in preparation for mandated electronic theses and dissertation. Janice Thomasson, Director of the Medical College of Georgia, articulated a highlight of this session: "The beauty of the presentation was that it demystified high technology. When the speaker discussed the fact that even she as a non technical person could configure a program for an electronic thesis, I thought that was excellent."

A similar message affirming the ability of all technological levels to use teaching and learning in cyberspace resonated through the session entitled "Using the Network as an Integral Part of Curriculum." Brad Cox, George Mason University Professor, and Joseph S. Merola, Virginia Tech Professor, explained methods technology extended to traditional teacher/student relationships beyond the space/time limitations of the classroom. Both professors discussed their experiences using the Internet to enhance communications with students.

Marcella S. Rorie, Classroom Improvement Coordinator at North Carolina State University, found Merola's message especially powerful: "We're starting to use a lot of technology at NC State and it was very useful to see that you don't have to have the most technically advanced software programs to still make a big difference in the student curriculum." Linda J. Hutchinson, Information Systems Project Leader at Iowa State University, expressed similar sentiments, "I felt I could go home and begin this advanced technology right away."

Robert Bates, Dean of the College of Arts and Sciences at Virginia Tech, also examined the impact of technology in the university environment during a general session. Bates used a video presentation featuring professors and students to describe first hand accounts of positive experiences at Virginia Tech's educational technological environment. Bates also stressed the importance of taking risks in efforts to induce a positive evolution in teaching and learning environments. "Bates' session had a proactive message. It's nice to be challenged to take these risks," said Roger Akers, Manager, Research and Development at the University of North Carolina at Chapel Hill.

William Graves, Associate Provost for Information Technology at the University of North Carolina at Chapel Hill, addressed the key issue of the costs involved in modern technology in the university environment. Graves explained the idea of a new national learning infrastructure designed to increase access to education, to contribute to the quality of learning, and to contain overall instructional costs.

Another key conference issue addressed was support services for technology-based information resources. Polley Ann McClure, Vice President and CIO at the University of Virginia, examined the many changes occurring in technology including the demand for dial-in lines, Internet overload, and requests for more support. McClure then offered some solutions to what she termed a "crisis" in IT support. "McClure's discussion integrated well into a whole range of problems and she explained what has to be done in some places to find solutions," said Gary Graham, Director, Learning Resources and Technological Centers at John Tyler Community College.

The Southeast Regional Conference's closing general session highlighted future campus networking strategies. Douglas Gale, Assistant Vice President, Information Systems and Services at George Washington University, explained pedagogical and economic perspectives to the question "Why do we need to do this?" Gale then outlined the technical and policy issues associated with providing digital networks capable of supporting higher education's research and education requirements in the year 2000 and reviewed the emerging solutions to these issues.

According to conference survey results, attendees left the conference enthused and armed with notes and ideas to continue and in some cases begin, building their respective university's teaching and learning environments in cyberspace.

The conference was chaired by A. Wayne Donald, Team Leader, Project ENABLE, and Eileen Hitchingham, Dean of University Libraries, both of Virginia Polytechnic Institute and State University. The chairs recognized the $5,000 grant from Virginia Polytechnic Institute and State University's Division of Continuing Education that aided in supporting the regional meeting.

— Louise Fisch, Coordinator of Communications

Workshop on Metadata for Networked Images and Imagebases

The Coalition for Networked Information and OCLC organized an invitational workshop in Dublin, Ohio on September 24 and 25. The purpose of the workshop was to promote convergence among alternative approaches to describing images and imagebases in networked environments. The workshop focused on still images, such as photographs, slides, and graphics. It did not deal with moving images, such as films, videos, and simulations. Attendees included faculty members, archivists, librarians, information technologists, and other professional developers and mangers of information infrastructures, resources, and services.

See <URL:http://purl.oclc.org/metadata/image> for more information, including the workshop report.

Office of Scholarly Communication

Mary M. Case, Director

Serial Cancellation Rates Increase After 1995 Drop

After a year when less than half of the reporting libraries indicated their intent to cancel serials, ARL's Quick SPEC Survey on Cancellation Rates for 1996 reveals that 57% or 50 of the 88 responding institutions planned to cancel serials. In 1995, only 40 out of 90, or 44%, had indicated their intent to cut subscriptions (*ARL* 177). The 1996 results are more in line with those for the preceding years when well over 50% of the respondents indicated their intent to cancel (*ARL* 153, 159, 166, and 172). The 1996 Quick SPEC Survey was sent to ARL member libraries in January 1996 and attempts to estimate only in the most general sense an institution's early plans for managing its materials budget.

For those libraries planning to cancel serials, the brief survey asks for the approximate dollar value. Forty-two libraries reported a total amount of about $10 million. If all 50 of the canceling institutions canceled at this rate ($238,000 per institution) almost $12 million worth of serials would be cut. In contrast, the average cancellation per institution according to last year's survey was $110,000. This year's targeted amounts ranged from $30,000 to $600,000. Twenty-seven libraries reported goals of $200,000 or more.

In general, the canceling libraries were not identifying titles of specific publishers. Eighteen noted, however, that they were targeting specific disciplines. Of those which specified the discipline, eight responded that they were canceling titles in the sciences, four in the social sciences, and one in the humanities. Many others commented that while they were canceling across disciplines, they would by default cancel the most dollars in the sciences. In comparison to other disciplines, science journals have the highest prices and the greatest cost increases and represent the largest portion of the serials budget.

In addition to cancellation, another strategy to support serials purchases is to trim the monographic budget. Just about half, 43 of the 88 responding libraries, indicated that they would in fact be reducing the funds available for monographic purchases. One respondent noted that this was not "as much a conscious decision as one of necessity." Another commented that they "expect to continue to see the small but constant erosion of monograph purchases overall as costs rise in other areas of the budget." In one very extreme case, the library's materials budget was reduced by $1.5 million leaving virtually no monographic budget except for a fund of $40,000 to fill faculty requests for reserve materials. For the responding libraries not reducing funds for the purchase of monographs, however, the picture is not much brighter. Most are facing static monographic funding which, with the increasing prices of monographs, results in the purchase of fewer titles.

From the various comments of respondents throughout the survey, it is clear that annual serials cancellation has become a way of life for research libraries. Many of those without targeted goals have a one-in/one-out policy. Several respondents speculated on the need for alternative approaches to providing articles and were particularly interested in cost-benefit data for subsidized document delivery services. When asked whether ARL can fill an informational role about serial cancellations, several respondents commented that the information is useful if only to show the faculty that their library is not alone in confronting this problem.

The final accounting of 1996 serials cancellations by ARL members is just now underway. The results will be published in the *1995-96 ARL Statistics* due out in February 1997.

Survey tabulated by Marianne Seales, Program Assistant, Office of Management Services

AAU/ARL Rethink Strategy to Promote Electronic Scholarly Communication

ARL has worked for several years with the Association of American Universities (AAU) to address issues facing the future of research libraries and scholarly communication. This spring, the two organizations reached a significant turning point in the pursuit of their shared agenda. The AAU/ARL Research Libraries Steering Committee, alerted to the need to undertake a collective action to establish a new higher education network (Internet II), decided to recast its plan to support electronic scholarly communication in this broader framework. Encouraged by the Steering Committee's desire to explore a more broadly conceived collective action, the ARL Board appointed a working group to develop a proposal. A draft document was distributed for comment and will be discussed by the full ARL membership at its October Business Meeting. At the same time, AAU will be addressing issues of conduit, content, and conduct in the digital environment during its President's Meeting also held in October. Based on the discussions at both meetings, representatives of AAU and ARL will formulate a new strategy to advance electronic scholarly communication.

72

ARL Activities

G. Jaia Barrett, Deputy Executive Director

NEH Grants

The following grants were awarded by the National Endowment for the Humanities.

Association of Research Libraries: To support completion of the conversion into electronic form of the National Register of Microform Masters (NRMM).

UC-Berkeley: To support the creation of a prototype for an Internet-accessible database of archival finding aids, based upon American history collections held by four university research libraries.

UC-Riverside: To support the cataloging of 4,000 newspaper titles in repositories throughout the state; to support production of the English Short Title Catalog, a database of bibliographic records and holdings information for the output of the English-language press from 1475 to 1800.

Columbia: To support the preservation microfilming of 9,797 embrittled pamphlets on social and economic history published from 1880 to 1950; to support the creation of standards and procedures for Internet access to papyri collections held by major repositories in the United States.

Cornell: To support the preservation of microfilming of 7,980 embrittled volumes on American agricultural history and rural life, dating from 1820 to 1945, and held by nine land-grant university libraries.

Illinois at Chicago: To support the continued development of national standards for the electronic encoding of texts through the Text Encoding Initiative (TEI).

Illinois at Urbana: To support the preservation microfilming of 7,800 embrittled books and the repair of 1,300 additional volumes on history and literature held by nine member libraries of the CIC.

MIT: To support development of the Shakespeare Demonstration Archive, a multimedia collection of Shakespeare's plays, image materials, film performances, and other scholarly tools, to be delivered on the Internet.

Minnesota: To support the arrangement and description of the 255 linear feet of records of the American Council for Nationalities Service compiled from 1918 to 1993.

New York Public Library: To support the preservation microfilming of 6,616 brittle books and the repair of 2,032 additional volumes on the history, culture, and social life of the Americas; to support a cooperative project to catalog primary research materials for the study of dance and to create detailed finding aids searchable on the Internet.

Oklahoma: To support the preservation and enhanced cataloging of 25,341 endangered political television commercials broadcast from 1952 through 1978.

Oregon: To support cataloging of 1,350 newspaper titles.

Pennsylvania: To support the arrangement, description, and preservation of the 360 linear feet of personal papers of Marian Anderson (1897-1993), which include musical scores and sound recordings.

Rutgers: To support educational programs on the scholarly use of electronic texts in the humanities.

State University of New York at Albany: To support the cataloging of approximately 6,500 newspaper titles and preservation microfilming of 200,000 pages of newsprint.

Syracuse: To support the preservation microfilming and cataloging of approximately one million pages of embrittled, unpublished manuscripts, radio scripts, corporate records, and publications documenting the history of the Street & Smith Company, the largest publisher of pulp fiction in the United States.

Texas at Austin: To support the education of preservation administrators and conservators in the care of library and archival collections.

— Ann Doty, Research Assistant for Federal Relations

Transitions

Colorado State: Irene Godden, Associate Dean of Libraries, was appointed Interim Dean, effective November 1, concurrent with Joan Chambers' retirement.

Boston: John Laucus announced he will take a year's leave of absence as Director of Libraries starting at the end of January 1997, and retire in January 1998.

Howard: Mod Mekkawi was named Director of Libraries, effective August 1996.

Library of Congress: Retired Army Brigadier General Donald Lavern Scott was named Deputy Librarian of Congress, effective September 30. He was previously Chief Executive Officer of the AmeriCorps National Civilian Community Corps, a division of the Corporation for National Service.

Michigan: Donald Riggs announced that he will leave the Dean of University Library position effective December 31, 1996 and become full-time senior professor in Michigan's new School of Information.

Temple: James Myers announced his plans to retire as Dean of Temple University Japan; John Zenelis, appointed Acting University Librarian for Temple University during Dr. Myers' appointment in Japan, will continue in this role.

ARL: DeEtta Jones was named Program Officer for Diversity effective the end of 1996. Ms. Jones is currently Director of the Office of Human Rights for the City of Fort Collins, Colorado. She served previously as Coordinator for Multicultural Training and Leadership Development at Colorado State University.

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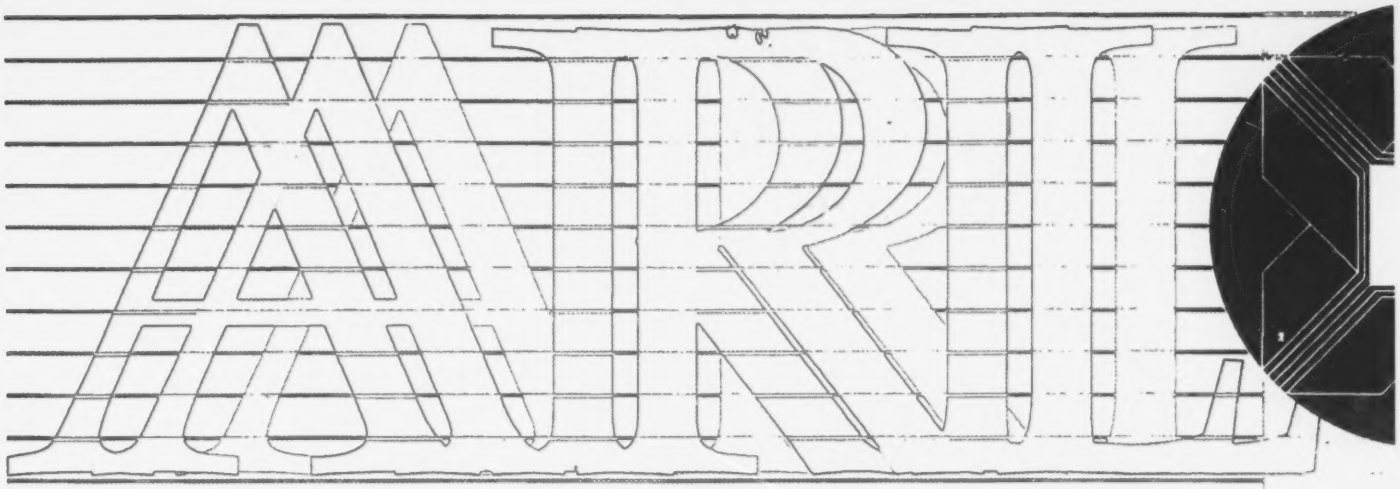
American Library Association: The Executive Board of ALA announced that Elizabeth Martinez has agreed to continue in her position as ALA Executive Director for the remainder of her contract, until August 15, 1997.



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188

October 1996

Review of Recent Literature in Management 4
Teaching and Learning in Cyberspace 8
Increase in Serial Cancellation Rates 10

CALENDAR 1996-97

1996

November 18-20	NASULGC Annual Meeting San Diego, CA
December 3-6	CAUSE San Francisco, CA
December 6-7	Coalition for Networked Information Fall Task Force Meeting San Francisco, CA

1997

February 6-7	**ARL Board Meeting** **Washington, DC**
February 14-20	American Library Association Washington, DC
April 1-2	Coalition for Networked Information Washington, DC
April 11-14	ACRL National Conference Nashville, TN
May 13-16	**ARL Board and Membership Meeting** **Albuquerque, NM**

LICENSING ELECTRONIC RESOURCES: STATE OF THE ART

Sponsored by ARL & CNI

December 8-9, 1996
San Francisco, CA

Consult the ARL Homepage <URL:http://arl.cni.org> or contact Allyn Fitzgerald, ARL (allyn@cni.org), for program details.

ARL

A BIMONTHLY NEWSLETTER OF RESEARCH LIBRARY ISSUES AND ACTIONS

189 December 1996

Ownership of Faculty Works 4
International Intellectual Property Proposals 8
Getting to Know DeEtta Jones, ARL Program Officer for Diversity 13

Current Issues

THE MEDIEVAL FUTURE OF INTELLECTUAL CULTURE:

SCHOLARS AND LIBRARIANS IN THE AGE OF THE ELECTRON

by Stanley Chodorow, Provost, University of Pennsylvania

Editor's Note: Dr. Chodorow set the stage for the recent ARL Membership Meeting program on Redefining Higher Education with the following remarks about the nature of intellectual culture, and how knowledge is mapped and communicated. He concludes with his views on the actions that need to be taken by provosts and librarians to effect a positive future for scholarly discourse.

The electronic revolution is taking us back to the middle ages. As librarians and as scholars, we are on a tape running fast-forward to the past. When the tape reaches its end, our professional lives will be changed. You will be the managers of an information environment very different from one you deal with now. As a teacher and scholar, my relationship with students, colleagues, and information will have been transformed.

The changes I am talking about are not the obvious ones we can all see clearly today. Right now, at the beginning of the electronic revolution, we are preoccupied with the exponential growth of information resources on the World Wide Web. Scholars and information purveyors are producing this growth. Scholars, students, and librarians are trying to cope with it. In case you librarians have not yet noticed, let me say that the scholars and students are depending on you to figure out how to catalog and organize all the information out there on the Internet. We are counting on you to produce a new Melvil Dewey.

Hard as that task will be, it will not be the hardest problem that the revolution will create for us. The real problems of the new medium for research and publication will arise from the way it will change scholarly discourse, and it is in that change that we will retrace our steps to the intellectual culture of the middle ages. Today, I want to focus on that change and its effects.

In medieval intellectual culture, works of literature—history, theology, law, medicine, and literature in the strict sense—flowed from author to author, across generations, growing and changing as individual contributors worked on them.

Medieval chroniclers used the work of their predecessors, adding and filling in material to make the work their own. In the modern editions of these works, scholars have marked the layers of the text by printing them in different sizes; the critical editions of works that grew over many generations—such as some of the monastic chronicles of the Alsace-Lorraine—are the mothers of all eye charts.

The standard—or, as they are called, vulgate—glosses on the Bible and on the foundational texts of law, medicine, theology, and philosophy were also composite works, the melding of the works of several generations of teachers and scholars.

Papal and imperial privileges were reissued with each new reign, growing or changing in response to contemporary political interests while preserving the essence of the original privilege. All of these kinds of medieval works and documents grew organically from generation to generation. What was significant about them was not who wrote them but what they contained.

Continued

In the not-so-distant future, our own intellectual culture will begin to look something like the medieval one. Our scholarly and information environment will have territories dominated by content, rather than by distinct individual contributions. The current geography of information is the product of the seventeenth-century doctrine of copyright. We are all worrying about how the electronic medium is undermining that doctrine. In the long run, the problem of authorship in the new medium will be at least as important as the problem of ownership of information.

Works of scholarship produced in and through the electronic medium will have the same fluidity—the same seamless growth and alteration and the same de-emphasis of authorship—as medieval works had. The harbingers of this form of scholarship are the listservs and bulletin boards of the current electronic environment. In these forums, scholarly exchange is becoming instantaneous and acquiring a vigor that even the great scholarly battlers of old—the legendary footnote fulminators—would admire. Scholars don't just work side by side in the vineyard; they work together on common projects.

Works of scholarship produced in and through the electronic medium will have the same fluidity—the same seamless growth and alteration and the same de-emphasis of authorship—as medieval works had.

What these harbingers reveal is the first effects of a fundamental change in the means of communication. The modern forms of scholarship—the works we have been collecting, cataloging, and organizing for several centuries—are products of a particular means of communication. The codex dates from late antiquity. It was a technological advance on the scroll and the highest development of the possibilities of manuscription. The scientific article and the journal in which it appeared was invented in the seventeenth century. This form of publication realized the possibilities of the printing press. (The article as a mode of scientific communication was the invention of Edmund Halley, the astronomer who financed the publication of Newton's *Principia* and who used Newton's theory to predict the return of a comet that now bears his name.) We have not yet developed the best form for work published on the Internet, but we—and especially you, the librarians—need to begin to speculate about its characteristics in order to cope with its arrival on the scene and with the stages of its evolution.

A work of scholarship mounted on the Internet will belong to the field it serves and will be improved by many of its users. Scholar-users will add to the work, annotate it, and correct it, and share it with those with whom they are working. All the really important works of scholarship, the works we commonly call research tools, will quickly evolve into several subspecies in the hands of scholars.

We historians of medieval canon law distinguish between the French and Bolognese versions of the *Breviarium* of Bernard of Pavia, which evolved from the textbook of papal judicial opinions that Bernard produced about 1191-92. Will we soon be able to speak of the French, German, and American versions of an electronically transmitted calendar of papal letters? Or will the versions emerge within international circles representing different kinds of users of the letters—the political historians, social historians, and legal historians? The only certainty is that such works will evolve continuously once we begin to take advantage of our new medium for information.

I have been talking of the flow of information and the fluidity of works of scholarship on purpose. The future world of scholarship I am envisioning is one in which the information used by teams of scholars will be in liquid form. The electronic format encourages constant change—addition, subtraction, alteration—and its organization is fundamentally different from the one used in printed materials.

Right now, much of the material on the Internet is made up of digitized pictures of printed works, which can be cited by chapter, page, and paragraph. When scholars create information resources directly on the Internet, they use a variety of new organizational methods and expect the materials to grow and change constantly, perhaps even to be given a completely new organizational form in mid-stream, if someone develops a better way to present the data. We can expect many scholars to resist such fluidity in their information resources, because it will relegate the traditional footnote—to which some of us are inordinately attached—to the dustbin. Some future edition of *The Chicago Manual of Style* will provide models of citation to suit the new medium.

This imagined world is one in which the electronic medium has radically changed the nature of "publication." In the fluid world of the electron, the body of scholarship in a field may become a continuous stream, the later work modifying the older and all of it available to the reader in a single database or a series of linked databases. The prospect is exciting, but it contains some scary features.

One of these features is that a truly collaborative work, particularly a work in progress, blurs the concept of authorship and makes it difficult to judge the significance of individual contributions. Now, we manage

information mostly by author. We will have to find another way.

Another scary feature of the new environment is that the electronic medium is evolving as fast as the scholarly discourse being carried out in it. What happens, then, when the discourse takes a break? All fields go through periods of stagnation. If the medium of scholarship continues to change, then the preservation of electronic resources must involve migration from one "platform" to another. So long as the discourse is lively, or at least animate, scholars and librarians who serve them will port it from system to system. Who will use up space and effort keeping a database alive during periods of intellectual downtime?

For a long time now, librarians have been moving cautiously towards greater and greater cooperation. The progress has been slow, because the large institutional investments in libraries have made us proprietary. The electronic medium requires that we speed up the move towards collaborative action. We need to decide now how we will preserve electronic information resources. Every month, great resources are being lost in the trash heap of old technology.

The recent progress of collaboration among libraries, such as it is, rests on the stability of the print medium. Whichever institution buys, catalogs, and shelves printed material, all other institutions in the collaborative loop will be able to use that material. But the electronic medium is unstable, and our institutions are leapfrogging one another as they upgrade their systems in response both to the needs of their patrons and to the possibilities of ever-developing technology. Until and unless our technology marches together in rank and file, the assumptions that have worked well during the age of print will fail us. The electronic revolution destroys the illusion that independent collection development and management can produce adequate information resources for the scholarly community, indeed for the community at large.

I am confident that we scholars will work out a way to mark our contributions to the collaborative scholarly effort that we create in the electronic medium, so that you librarians will be able to give us the credit we deserve.

The challenge before you today is to create a map—a catalog—of the electronic medium of information. Together, you must develop new organizational principles and techniques that work in this medium—that guide us to the precise source of information, identify the author of the information, and place the information in a chronological order. This is the information about information that scholarship requires.

In creating this new organization of knowledge, you will also have to design a new model of the information specialist. So long as there are printed resources—which will continue to pour out of presses for almost as long as you think they will—the skills and knowledge you have accumulated and passed on in your profession will have high value. But the growing importance of information resources in electronic form will certainly change the skills and knowledge needed by librarians. In my opinion, the librarians who will help us deal with the electronic medium will have to be members of the disciplines they serve.

In his novel *The Name of the Rose*, Umberto Eco imagined the ideal of the medieval librarian—the information scholar who held the key to knowing. The librarian of the electronic age, like the librarian of the ancient and medieval worlds, will have to be a scholar among scholars. He or she will be the information specialist in every research group, the person who helps the group keep up with and understand the state of knowledge and its history.

This role will require training in a discipline as well as in information science, and it will make the role of librarians international. Today, a librarian is hired to serve the needs of a particular library and the community of scholars dependent on it. Even today, however, a librarian may serve as a resource for scholars far and wide who send queries by email. When the electronic age matures, the librarian will serve an international community of scholars in his or her field. The locations of librarian and colleagues, formerly called patrons or clients, will be designated by electronic addresses, not mail codes.

So, how will we, the people responsible for managing local resources and local institutions, decide whom to hire? We might decide that all librarians have to be able to do local tasks as well as international, scholarly ones. Then, we will hire the complement of people we need to run our libraries and assume that the special disciplinary interests of our librarians will take care of themselves. But scholars will not be content with the accidental nature and impermanence of that arrangement. They will not care where their librarian lives and works, but they will want to know that they can count on him or her.

Now is the time for the library community, which has hovered between isolationism and international cooperation for decades, to make a decisive commitment to cooperation. There is a great deal to be done if the return of the medieval intellectual culture, with its fluid and international character, is to be as productive and important for human civilization as it was the first time it came around.

OWNERSHIP OF FACULTY WORKS AND UNIVERSITY COPYRIGHT POLICY

by Clark Shores, Assistant Attorney General for the State of Washington

Retaining ownership of intellectual property within the academic and research communities has been proposed as one method of creating a more competitive marketplace for scholarly publishing, slowing the rising costs of scholarly journals, and ensuring the availability of copyrighted materials for educational use. Rather than signing their copyrights over to a commercial publisher, faculty could retain and manage their own rights or sign their rights and the responsibility of managing them over to the university or another academic rights management organization. Alternatively, universities could seek to claim ownership of some or all faculty scholarship. Many universities have become interested in this issue and are reviewing or creating policies governing intellectual property on their campuses. At the ARL Copyright and Leadership Workshop held in Seattle last September, Clark Shores, Assistant Attorney General for the State of Washington, University of Washington Division, reported on the legal debate over faculty work for hire and the issues a university needs to consider in designing a copyright policy. This is an abridged version of his presentation. The opinions expressed are those of the author and do not represent the views of the office of the Attorney General of the State of Washington.

— MMC

Introduction

By tradition, university faculty have been regarded as the owners of the copyrightable works they create, and universities have as a matter of policy generally disclaimed copyright interests in faculty works. In the days when faculty produced primarily text-based scholarly lectures, articles, and books, this tradition accommodated both faculty and institutional interests. Today however, in addition to these traditional materials, faculty produce a wide variety of other works, such as computer programs, multimedia works, videotaped lectures, and distance learning courses. This variety, the circumstances in which it is produced, the resources used in producing it, and the financial demands on higher education, are putting increasing pressure on institutions to revise their policies regarding copyright interests in faculty works. This article discusses some of the issues relevant to such a revision of copyright policy.

Faculty Works and Works for Hire

Under federal copyright law, initial ownership of the copyright in a work vests in the author or authors of the work, after which the ownership may be transferred to another.[1] In the case of "works for hire," the initial author, and therefore the initial owner of the copyright, is the employer or person who commissioned the work.[2] The Copyright Act defines a work for hire as either (1) "a work prepared by an employee within the scope of his or her employment," or (2) as a work specially commissioned and agreed in writing between the parties to be a work for hire, and which falls within certain categories listed in the statute.[3]

A fundamental legal question is whether faculty works fall into either of these two categories. Because faculty works are typically not specially commissioned, this question reduces to whether faculty works are prepared by faculty within the scope of employment. This is necessarily a fact-specific inquiry, focusing on the particular work and the circumstances of its production. Nonetheless, even in the case of scholarly articles prepared for publication in an academic journal, the matter is controversial.

Prior to the passage of the Copyright Act of 1976, case law supported the position that faculty writings are not works for hire.[4] According to some scholars, this constituted a "teacher exception" to the application of work for hire principles, and passage of the 1976 Act effectively abolished the exception.[5] Other commentators have argued that faculty works are not works for hire, and that this result was unchanged under the 1976 Act.[6]

The courts have not squarely addressed the question, and where they have addressed the issue indirectly have varied in their treatment of it. For example, in *Weinstein v. University of Illinois*,[7] the court stated in dicta that the 1976 Act "is general enough to make every academic article a 'work made for hire' and therefore vest exclusive control in universities rather than scholars."[8]

In contrast, in *Hays v. Sony Corp of America*,[9] the court, again in dicta, stated that if it were forced to decide the issue, it would hold the teacher exception had survived the enactment of the 1976 Act.[10]

The heart of the uncertainty lies in how to apply the legal principles of work for hire within the circumstances of academia. In the landmark case of *Community for Creative Non-Violence v. Reid*,[11] the United States Supreme Court made clear that the interpretation of the statutory definition of work for hire must be guided by the common law of agency. Under agency law, the fundamental question that decides whether a work was prepared in the course of employment is whether the employer had the right to control the manner and means by which the work was produced.[12]

Other factors include whether the conduct was of the sort the employee was hired to perform, whether the conduct occurred substantially within the authorized time and space limits, and whether the employee's motivation was, at least in part, to serve the employer.[13]

Determining if a particular work is a work for hire is a fact-specific inquiry focusing on the circumstances in which that work was produced, and therefore, generalizations are hazardous. However, because the fundamental consideration under a work for hire analysis is the employer's right to control or supervise the preparation of the work, and because universities generally lack the right, for reasons of academic freedom, to supervise scholarly production, a wide range of faculty works are probably not works for hire.

A university copyright policy should be designed to accommodate the uncertainty inherent in a work for hire analysis, and at the same time to secure the institution's copyright claims where appropriate.

Furthermore, it is frequently unclear whether a particular faculty work was prepared subject to the institution's supervision, and therefore the determination of which works qualify as works for hire is similarly unclear. A university copyright policy should be designed to accommodate the uncertainty inherent in a work for hire analysis, and at the same time to secure the institution's copyright claims where appropriate. The following discussion offers some suggestions as to how this might be done.

Faculty Ownership and University Policy

A university policy concerning copyright interests in faculty works should address at least the following issues: (1) whether the university will assert an ownership interest in some faculty works, and, if so, which ones; (2) the means by which the university will obtain an ownership interest in those faculty works not considered works for hire; and (3) the process by which determinations of institutional interest will be made.

The first issue requires determining in which faculty works the university will assert an ownership interest. It is reasonably clear that most universities will assert ownership in works for hire. This decision however, is not an easy one, because the class of works for hire is not clearly defined, and because many faculty works are not works for hire.

One approach is to define broad classes of faculty works, such as software or multimedia, as those in which the university will assert an interest. This approach may help keep the burden of administration within manageable limits because it will limit the number of individual cases requiring review.

Another approach is to identify general factors of a particular work that could be evaluated to decide if the institution has an interest. Many universities currently rely on a variety of factors in this way, the most common being: (1) the extent to which institutional resources were used in preparing the work; (2) the commercial character of the work; (3) the utilitarian (as opposed to purely scholarly or aesthetic) character of the work; (4) the connection between the work and the faculty member's job responsibilities; (5) the concern to avoid disputes within the university community.

These considerations, or similar ones, facilitate an analysis similar to that used to decide whether a particular use of a copyrighted work is a fair use. Under section 107 of the Copyright Act, to decide whether a use is fair, one must evaluate it in light of its purpose, the nature of the work, the amount of the work that is used, and the impact of the use on the potential market value of the work.[14] No one factor is determinative, although the effect on market value is usually given the most weight.

Similarly, to decide whether the university has an interest in a particular faculty work, one could evaluate the use of institutional resources, the work's commercial and utilitarian qualities, and the relation between the work and the faculty creator's job responsibilities. As with the fair use analysis, probably no one of these factors should be determinative, although the use of institutional resources is probably the one that should be accorded the most weight.

If these factors are used to determine whether an institution has a copyright interest in faculty works, the range of works in which the institution might then claim some copyright interest would probably be broader than if it claimed only works for hire. The reason, generally, is that the above factors do not focus on the question of the institution's right to supervise and control the manner and means of the production of the work, whereas that is the most important consideration under a work for hire analysis.

To illustrate, imagine a multimedia instructional text that was prepared by several faculty members using university resources. In light of the factors described above, such a work might be one in which the university would wish to assert an interest, but it is not clear that the work would be a work for hire. In particular, although the university might have had some right to control indirectly the use of institutional

resources, it is unclear whether that right in itself establishes the right to supervise the production of the work.[15]

The second fundamental issue is how the institution acquires its ownership interests. A university might try to secure its claim to a selected range of faculty works by re-defining what qualifies as a work for hire. This is possible, but only to a limited degree. On the one hand, an agreement declaring every copyrightable work prepared by the employee to be a work for hire would not have its intended effect. It would not make a particular work a work for hire if the facts about its creation established that the work was not prepared in the scope of employment.[16]

In many cases, it is likely that the only right the university needs to secure is the non-exclusive right to use the work for its own purposes.

On the other hand, an employment agreement can determine what is a work for hire to the extent that it can define the scope of employment in such a way as to ensure that the works prepared by the employee were prepared within that scope. This approach would probably be of limited utility in the case of university faculty. To make traditional faculty works works for hire, a university in effect would have to declare that the preparation of such works is subject to the control and supervision of the university, contrary to strong tradition. Such a declaration would probably give the institution more control than it needs or wants, and would likely be vehemently opposed by the faculty.

Instead of redefining what counts as a work for hire, a more reliable way to determine copyright interests would be to have the university define the nature of the works in which it has an ownership interest, perhaps through reliance on factors like those described above, and then create a contractual obligation on the part of the faculty to assign their copyright interests to the university. Such a contractual obligation could be created by having faculty sign an agreement stating that they agree to abide by the university's copyright policy, and that faculty must assign copyright interests in their work where the determination has been made that the university has an interest in the work. The agreement can then be incorporated into the university's handbook, faculty code, or employment manual.

The third fundamental issue inherent in examination of faculty works focuses on the process by which the institution's interests are determined. Given the variety of faculty works and the variety of circumstances in which they are created, it is not possible to write a policy that anticipates all possible works and circumstances of creation. For this reason, the policy should define an administrative process by which determinations about the institution's interest are made. The process needs to designate an office—"the university copyright office"—to administer the policy and to make such determinations.

In addition, in light of the volume of copyrightable subject matter created by faculty, it is not practicable for the university copyright office to examine every piece of copyrightable work. The policy must therefore establish a threshold for determining whether it is necessary to decide if there is an institutional interest. One such threshold might be to require all faculty to report to the copyright office any copyrightable work having potential commercial value. The copyright office would then evaluate the work in light of factors such as those described above.

If the copyright office concludes that the work is one in which the university has an interest, then the university and the faculty member could enter into such agreements as may be necessary to secure that interest. If the work is clearly a work for hire, then strictly speaking, no further agreement is required. However, in light of the uncertainty inherent in the work for hire doctrine, this will probably be the exception rather than the rule. For this reason, it is advisable to have an agreement that memorializes the parties' understanding that the work is a work for hire, or to the extent the work is not a work for hire, which assigns the faculty member's interest to the university.[17] In cases where the parties agree the work is not a work for hire, a simple assignment of copyright interests will suffice.

To summarize, any university policy regarding copyright interests in faculty works will need to identify either types of works in which the institution will always assert an interest, or the criteria by which determinations of institutional interest will be made. Second, the policy must ensure there is a contractual obligation on the part of faculty to assign their copyrights in those cases in which the university determines it has an interest, where that interest is not already clearly secured under work for hire principles. Third, the policy needs to describe an administrative process by which determinations of institutional interest will be made, presumably through some sort of

university copyright office, and ensure the existence of a contractual obligation for the faculty to enter into such further agreements or to make such assignments as are necessary to secure the institution's interests.

Finally, it should be emphasized that there is considerable flexibility under copyright law as to how the rights in faculty works can be allocated between faculty and the institution. The policy could, in effect, vest complete ownership of all copyrightable works in the university, or it could vest complete ownership of all works in the faculty, or it could vest complete ownership of some works in the university and complete ownership of other works in the faculty. Perhaps most importantly, the policy could divide the rights comprising a copyright and allocate some of those rights to the institution and some to the faculty, or could identify non-exclusive licenses precisely tailored to meet the needs of the parties.

In many cases, it is likely that the only right the university needs to secure is the non-exclusive right to use the work for its own purposes. The rights in faculty works, in other words, can be allocated however the university administration deems appropriate, and the determination as to what is an appropriate allocation can be determined largely by administrative considerations rather than legal concerns.

[1] 17 U.S.C. § 201(a), (d).
[2] 17 U.S.C. § 201(b).
[3] 17 U.S.C. § 101.
[4] E.g., Williams v. Weisser, 78 *Cal. Rptr.* 542 (Cal. App. 1969) (holding that professor owned the common law copyright to his lectures); Sherrill v. Grieves, 57 *Wash. L. R.* 286 (S. Ct. D. C. 1929) (holding that instructor at U.S. Army school owned the copyright to a written version of his lectures).
[5] E.g., T. Simon, "Faculty Writings: Are They 'Works for Hire' under the 1976 Copyright Act?," 9 *J. Coll. & Univ. L.* 485 (1982-83) (arguing that the Act abolished the teacher exception and that faculty writings are works for hire).
[6] E.g., L. Lape, "Ownership of Copyrightable Works of University Professors: The Interplay between the Copyright Act and University Copyright Policies," 37 *Vill. L. Rev.* 223 (1992) (arguing that faculty writings are generally not works for hire); P. Kilby, "The Discouragement of Learning: Scholarship Made for Hire," 21 *Coll. & Univ. L.* 455 (1994) (arguing that agency principles establish that scholarly works are generally not works for hire). See generally 1 M. Nimmer, *Nimmer on Copyright*, 5.03[B][1][b][i], n. 94 (stating that it is unclear under the 1976 Act whether a professor's written lectures are works for hire).
[7] 811 F.2d 1091 (7th Cir. 1987).
[8] 811 F.2d at 1094.
[9] 847 F.2d 412 (7th Cir. 1988).
[10] 847 F.2d at 416-17.
[11] 490 U.S. 730, 109 S. Ct. 2166, 104 L. Ed. 2d 811 (1989).
[12] E.g., Scherr v. Universal Match Co., 417 F.2d 497 (2d Cir. 1969) (applying this principle to reach result that artists employed by the U.S. Army had no copyright interest in sculpture they created).
[13] Restatement (Second) of Agency § 228; see generally Kilby, supra, 21 *J. Coll. & Univ. L.* at 465 (identifying and discussing agency law factors in relation to scholarly works).
[14] 17 U.S.C. § 107.
[15] Cf. Marshall v. Miles Laboratories, Inc., 647 F. Supp. 1326, 1331 (N. D. Ind. 1986) (work was made for hire because company policy required each employee to submit a manuscript for review prior to publication).
[16] See generally 1 *Nimmer* § 5.03[B][1][b][ii].
[17] As noted previously, supra, fn. 14, a private agreement that a work is not a work for hire will not in itself determine whether the work is, or is not, or a work for hire, although such an agreement may present a significant barrier for the hired party to prove ownership. See generally 1 *Nimmer* § 5.03[B][1][b][ii].

Canadian Scholarly Communication Report and Conference

The Association of Universities and Colleges of Canada (AUCC) and the Canadian Association of Research Libraries (CARL) have recently issued the final report of the AUCC-CARL/ABRC Task Force on Academic Libraries and Scholarly Communication. *The Changing World of Scholarly Communication: Challenges and Choices for Canada* is the culmination of an effort begun in early 1995 to "address the crisis of scholarly communication and its effect on higher education in Canada." The report is now available electronically <http://www.aucc.ca> and a copy was sent by CARL to the directors of ARL Libraries. For more information, contact Tim Mark, Interim Executive Director of CARL/ABRC <CARL@uottawa.ca>.

The report serves as an important background document for a national conference on Scholarly Communication in the Next Millennium, to be held at Simon Fraser University in Vancouver from March 5-8, 1997. Although the conference will address policy initiatives for Canada, the issues and speakers are international in scope and ARL directors and senior staff are encouraged to attend. See <http://www.sfu.ca/scom/intro.html> for more information.

FEDERAL RELATIONS

Prudence S. Adler, Assistant Executive Director-Federal Relations and Information Policy

LIBRARY ASSOCIATIONS ADDRESS INTERNATIONAL INTELLECTUAL PROPERTY PROPOSALS

For the last three years, members of the Shared Legal Capability (SLC)—the Association of Research Libraries, the American Association of Law Libraries, the American Library Association, the Medical Library Association, and the Special Libraries Association—have participated actively in domestic and international discussions concerning how to update copyright and intellectual property rights for the digital arena. With others in the public and private sectors, the members of SLC have responded to a number of Administration proposals regarding copyright and intellectual property.

In anticipation of the World Intellectual Property Organization (W.I.P.O.) meeting in Geneva in December of 1996, the U.S. Patent and Trademark Office requested public comments on the W.I.P.O. draft treaties on databases, neighboring rights, and the protocol to the Berne Convention. Many of the provisions in the treaties were included in U.S. legislation that failed to pass in Congress this past session. Thus to many, the rush to negotiate an international agreement on these critically important issues is viewed as an "end run" around domestic consensus.

Database Treaty

In a November 7, 1996 letter to Dr. John Gibbons, Director of the Office of Science and Technology Policy, the SLC members expressed opposition to the draft "Treaty on Intellectual Property in Respect to Databases." The draft treaty proposed a new legal regime distinct from copyright that would "trump" copyright law. The database proposal would give rights to compilers of databases, which is broadly defined, and give no exemptions such as fair use or related educational exemptions.

Members of SLC commented that the "changes to intellectual property law which such a proposal would facilitate are so sweeping that the U.S. delegation's support for the Draft Treaty should be withdrawn until a complete and thorough national discussion of the merits and/or drawbacks of any related intellectual property proposal are carefully debated and considered." In addition to process issues, the library associations noted the following substantive concerns regarding the database proposal.

- Access to data is the lifeblood of science and research. Thus, it is important to understand the impacts of the proposal on the U.S. research and education communities. Such a proposal should constitute appropriate public policy in support of all interests concerning access to information.
- There is a long tradition in the United States of protecting expression but not facts. The database proposal would undermine this tradition.
- The proposal is outside the scope of copyright and focuses only on economic interests. The balance of interests between owners, creators, and users in the current copyright framework is missing from the proposal.
- There are no exemptions for education and research comparable to those included in the Copyright Act. The Information Industry Association, proponents of the proposal, are opposed to any exemptions in the proposal.
- U.S. policy appears to be driven by concerns over the recently approved European Union Directive to protect European databases, instead of what best serves all U.S. interests.
- It is premature to engage in and conclude an international rule-making process regarding database protection prior to any domestic discussion.

A database proposal should move forward only following a full and thorough review of the costs and benefits to all communities.

Protocol to the Berne Convention for the Protection of Literary and Artistic Works

Responding to the Patent and Trademark Office's request for comments on the Chairman's Text for the Diplomatic Conference on Certain Copyright and Neighboring Rights Questions, the SLC noted that, "until workable solutions for all communities and sectors are developed, it is premature to seek to achieve international consensus on such contentious issues." Specific concerns with the draft protocol include:

Article 7 would inhibit browsing on the World Wide Web because it extends the right of reproduction to all temporary copies, including ephemeral images captured in a computer's random access memory (RAM). If enacted, this provision, when coupled with Article 10, would have a chilling effect on the ability of libraries and library users to access needed information resources due to serious concerns over liability.

Article 10 of the Protocol would create a new exclusive "right of communication to the public." This new right appears to be broader than both the distribution right and the public performance right granted by the U.S. Copyright Act. Creation of this new right, when coupled with Article 7, would significantly increase the exposure of online service providers—including libraries—to copyright infringement liability.

Article 12 would undermine many of the exceptions created by Congress in support of educational and library

activities, e.g. fair use, interlibrary loan, and more. Of particular concern is the second paragraph, which limits exceptions to "certain special cases which do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author." These fair use, library, and education exceptions in U.S. law are fundamental to the operation of library and educational institutions. Any erosion of these critically important exceptions would seriously impair the ability of libraries to effectively serve their users.

Article 13 would restrict copying that is currently permitted by law. It would impose liability on the manufacturer of devices that circumvent copy protection systems if the manufacturer had reason to know that just one out of a thousand devices produced would be used to make unlawful copies. Thus, if a manufacturer developed a device that enabled a library to circumvent copy protection systems for the purpose of making "lawful" archival copies, the manufacturer could be held liable if a court determined that the manufacturer should have expected at least one user to also use the device to make an infringing copy. Importantly, such language will preclude libraries from engaging in lawfully permitted activities in support of research, education, and public access to information.

In addition to filing comments on behalf of the member organizations, the SLC also joined with others in the Digital Future Coalition (DFC) in filing comments on the W.I.P.O draft treaties before the U.S. Patent and Trademark Office.

Library Associations' Recommendations

Finally, in a letter to Daniel Tarullo, National Economic Council, the library associations requested that the U.S. delegation to W.I.P.O "advocate the continued viability of fair use and related education and library provisions in both the print and digital environments. In addition, it will be important that libraries and educational institutions not be held liable under certain circumstances for violations of the new communication and reproduction rights merely for affording access to digital networks."

To address these concerns, two actions were proposed to ensure that fair use and related education and library exemptions are appropriately extended to the digital environment. First, the word "only" should be deleted from the proposed text of Article 12 of the "New Copyright Treaty," and from the equivalent provisions in other treaty texts. Second, the record of the Diplomatic Conference must include language that permits the United States to extend its traditional approach to fair use and related education and library exemptions into the digital environment.

Earlier this year, representatives of the library community participated in negotiations sponsored by Rep. Goodlatte (R-VA) concerning third party liability. Although there was significant progress in those discussions, no compromise was reached. Prior to the Geneva conference, there were also discussions with some representatives of the commercial service provider community. SLC members noted that if any agreements are reached on Article 7 and Article 10, (domestically and internationally), it will be critically important that the exceptions afforded to the commercial sector are equally applicable to libraries and educational institutions. Those institutions that provide information in the digital environment should not be held strictly liable for the infringing acts of their users. For more information about W.I.P.O. and other copyright issues, see <http://arl.cni.org/info/frn/copy/copytoc.html>.

A New Ruling on MDS

In a divided ruling of 8 to 5, the U.S. Court of Appeals for the Sixth Circuit ruled in favor of several publishers who sued the owner of Michigan Document Services (MDS), a copy shop which services several universities. The ruling was the latest step in the case, *Princeton University Press v. Michigan Document Services*, originally filed in 1992. In an earlier ruling in February 1996, a three judge panel of the U.S. Court of Appeals held in favor of the owner, James Smith, of MDS. An appeal by the publishers resulted in a full Appeals Court review of the case. It is anticipated that this latest ruling may be appealed by MDS, which could lead to consideration of this case by the U.S. Supreme Court. For more information on the MDS case, see <http://arl.cni.org/scomm/copyright/copyright.html>.

Supreme Courts Agrees to Hear the CDA Challenge

The United States Supreme Court agreed to hear the case challenging the Communications Decency Act (CDA). The federal government is appealing an earlier decision by a special panel of federal judges in Philadelphia, which ruled that the CDA was unconstitutional. ARL, as a member of the Citizens Internet Empowerment Coalition (CIEC), joined with others in the public and private sectors in opposing the CDA in Congress and as the case moved through the judicial system. It is anticipated that the U.S. Supreme Court will hear the case in March or April 1997. For more information on CDA see <http://arl.cni.org/info/frn/tr/frntr.html#cda>.

OMS ANNOUNCES 1997 TRAINING INSTITUTES & WORKSHOPS

The OMS Training & Leadership Development Program offers the following learning events specifically designed to integrate managerial and leadership concepts with immediately applicable workplace skills. Though some people have instincts which lead them to effective management, most of us learn to manage and lead on-the-job, with little or no formal training in basic managerial and leadership practices. The ability to learn new skills has become the pennant of the future's flexible, adept, and responsive organization. Participants at OMS Training events can expect a non-threatening yet challenging and structured training environment in which colleagues are encouraged to exchange views and learn from others who share common organizational experiences and concerns. Register now while space is still available.

LIBRARY MANAGEMENT SKILLS INSTITUTE I: THE MANAGER

March 4-7, Washington, DC
November 4-7, Cincinnati, OH

A time-tested core program, this *Institute* focuses on the individual and the individual's relationship to the library organization as a whole, including relationships to peers, direct reports, and supervisors. Concepts and techniques of personal leadership style, effective communication, new approaches to motivation, teamwork and team building, values in decision making and decision making styles, management of difficult behaviors, coaching and development of others, and conflict management are explored and developed. Using feedback tools and learning experiences, each program segment builds on previous segments, so that the cumulative result allows participants to see themselves within the managerial context both as they are and as they would like to be. Participants have an opportunity to reflect on their current approach to managerial and leadership responsibilities and take new and refreshed skills to their workplaces.
ARL Members: $490 Nonmembers: $550

WORK REDESIGN

March 19-20, Washington, DC
September 29-30, Chicago, IL

As organizations respond to change by altering the ways they are organized, a parallel change in the processes and procedures by which the actual work is done is called for. Through a variety of small and large group activities, participants learn the essential steps and analytical skills and tools needed to redesign work processes and procedures. Practical applications of the concepts to the workplace are the basis of this important *Workshop*.
*ARL Members: $250 Nonmembers: $275

LEADING CHANGE (FORMERLY FACILITATING CHANGE: THE INTERNAL CONSULTANT)

May 6-7, Washington, DC

Because change is a constant in every library environment, we all need to learn how to manage change effectively and how to gain the support of key stakeholders during change efforts. This *Institute* provides an opportunity to examine the dynamics of change, to consider new approaches, to gain skills in making judgments and decisions while preparing for the next wave of change, and to learn and practice the methods and strategies of implementing successful change efforts. Ample opportunity is devoted to skill practice and the application of concepts to participants' own work.
ARL Members: $350 Nonmembers: $420

EFFECTIVE COMMUNICATION IN ORGANIZATIONS

May 27-28, Washington, DC

Communication ranks as the top issue in many library organizations. While clear and direct communication is crucial to internal work and service to the community, it eludes many. Participants develop a deeper understanding of interpersonal and organizational communication through exploration of their preferred communication styles and study and practice of skills critical to both interpersonal communication and skillful group discussion. This *Workshop* provides a rich set of experiences and materials that provoke thinking and discussion both during the program and, more importantly, when participants return to their workplaces.
*ARL Members: $250 Nonmembers: $275

EFFECTIVE CONFLICT MANAGEMENT IN ORGANIZATIONS

May 29-30, Washington, DC

Conflict is an everyday part of work life. In the organizational context, the positive resolution of conflict is essential to the health of any organization. This *Workshop* explores and discusses conflict resolution, negotiation skills, and the impact of personal conflict styles. It focuses on developing effective individual and group conflict resolution techniques and skills. Participants gain insights into their own and others' behaviors as discussions and case studies examine the consequences of actions, words, and judgments.
*ARL Members: $250 Nonmembers: $275

Library Management Skills Institute II: The Management Process

June 2-6, Washington, DC

A different kind of service orientation (especially given the networked environment) is pushing libraries to rethink their vision, planning, and work processes. To keep pace with and to lead this evolution, this program uses a simulated library workplace, in the framework of the learning organization model, to focus on the individual's ability to positively influence the overall performance of the organization. Emphasis is placed on building and attaining proficiency in elements such as shared visioning, strategic initiatives and planning, and team learning, so that participants become more effective in solving organizational problems and in recognizing organizational opportunities.
ARL Members: $695 Nonmembers: $745

Facilitation Skills Institute

June 11-13, Chicago, IL
Dec 9-11, San Diego, CA

Facilitation of meetings, group/teamwork, and decision making are becoming important roles within organizations. Participants learn how to become skilled facilitators who can assume key roles within their work units and assist in producing better quality group/team results. Topics include: facilitation of idea generation activities; group dynamics and group process; managing meetings; dealing with difficult behaviors in groups; and problem-solving and decision-making methods. Each participant has an opportunity to practice facilitation skills.
ARL Members: $350 Nonmembers: $420

Process Improvement

October 1-2, Chicago, IL

Although libraries are process-driven, often our efforts at making processes more efficient and customer-friendly fail in the early stages. In this *Workshop* participants study a customer-driven process model, the essential tools of process description and analysis, how to choose processes for improvement, and methods for stimulating successful process improvement in their own libraries. Activities include a practicum process analysis in an actual library setting.
*ARL Members: $250 Nonmembers: $275

First Steps Toward a Learning Organization

October 21-22, Washington, DC

This *Workshop* focuses on the learning organization as a viable construct for library organizations and introduces both the concepts underlying the learning organization and the skills that such an organization demands. Areas to be covered include creating shared vision, exploring mental models, determining paths to personal mastery, team learning strategies, and the importance of systems thinking. Participants learn specific behaviors, processes, and skills to create a learning organization and have the opportunity to engage these issues in a variety of provocative ways.
ARL Members: $250 Nonmembers: $275

The Assistant/Associate Director in ARL Libraries: Roles and Issues

November 11-14, Baltimore, MD

This *Institute* focuses on the changing role and expectations of the senior management position. Current and emerging models for the Assistant/Associate Director are explored in the context of the various organizational changes underway in ARL libraries. Flattened structures, quality improvement programs, the demand for greater participation in the university community, empowerment of staff, the need for strong senior management teams, collaboration with computing centers, and the need to devote more effort to fund-raising are some of the factors that call for an examination and redefinition of this role.
ARL Members only: $400

Human Resources Institute

November 17-19, Washington, DC

This *Institute* is designed to bring together participants involved in human resources activities. We explore such current issues as the role of the human resources specialist in organizational change; best practices in human resources administration, staff development, and training programs; new models for transforming library organizations; and approaches to work redesign. Facilitators with human resources management experience and expertise guide participants in exercises and activities based on current organizational development theory and practice.
ARL Members: $350 Nonmembers: $375

* Register for 2 consecutive *Workshops*, the May 27-28 *and* 29-30 or the Sept 29-30 *and* Oct 1-2 *Workshops* and receive a $75 discount.

For more information please contact:
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Email: cseebold@cni.org
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Fax: 202-872-0884

STATISTICS & MEASUREMENT

Martha Kyrillidou, Program Officer for Statistics and Measurement

LIBRARIANS' SALARIES AT A STALEMATE

The newly released *ARL Annual Salary Survey 1996-97* is a compilation of detailed tables of salaries for librarians by job category, years of experience, sex, minority status, size of library, and geographic region, based on data collected from 109 ARL university and 11 nonuniversity libraries. The *Survey* is the most comprehensive and thorough guide to current salaries in large North American academic and research libraries, and is a valuable management and research tool.

The median salary figures are: university libraries —$43,170; nonuniversity libraries— $51,150. The median beginning professional salaries are: university libraries — $27,687; nonuniversity libraries—$28,380.

Although the median salary increased from $41,901 in FY 1995-96 to $43,170 in FY 1996-97, there is no real increase in the purchasing power of librarians when inflation is taken into account. Actually, comparing this year's salaries to FY 1990-91 and FY 1991-92, there was a slight decline in salaries in constant dollars.

The overall average salary in ARL university libraries, excluding medical and law libraries, is $46,508. ARL libraries in the West South Central region (Arkansas, Louisiana, Oklahoma, and Texas) continue to have the lowest average salary ($40,282, or 13.4% lower), while those in the Pacific region (California, Hawaii, Oregon, and Washington) continue to have the highest ($53,147 or 14.3% higher). In Canadian libraries, the average salary for FY 1996-97 is $44,463 in U.S. dollars, 4.4% lower than the overall average.

Minority librarians in the 96 U.S. university libraries number 853 and account for 11.28% of ARL's U.S. library professionals. Minorities continue to be disproportionately distributed in research libraries across the country; they are underrepresented in the New England, West North Central, East South Central, West South Central, and Mountain regions. The salary differential separating average minority salaries from average overall salaries is $2,173, or 4.9% lower for minority staff. This percentage is up slightly from 4.5% last year.

Librarians at private institutions continue to earn more, about 5.2% more in FY 96-97, than their counterparts at public institutions. The overall average salary at private institutions is $48,226; at public institutions it is $45,860.

The average salary for female directors in university libraries is slightly higher this year than that of male directors, .55% higher. At medical libraries female directors earn 6.1% less than male directors, while at law libraries they earn 4.1% less. In most job categories women continue to earn lower salaries than men. An interesting exception is Head of Computer Systems in university libraries, where women earn 9.0% more than men. Overall, women earn an average of 7.4% less than men. This percentage holds for medical libraries as well; in law libraries, women earn an average of 13.1% less than men.

The *ARL Annual Salary Survey 1996-97* is available for $35 to member libraries and $65 to nonmembers (plus $6 shipping and handling per publication). Please contact ARL Publications, Department #0692, Washington, DC 20073-0692, (202) 296-2296, email: pubs@cni.org.

— Kim Maxwell, Research Assistant

ARL UNIVERSITY LIBRARIANS, FY 1996-97 *

	Women	Men	Combined
Average salary	$45,173	$48,805	$46,508
Average years of experience	16.3	17.1	16.6
Total number of filled positions	4,378	2,544	6,922
Minority librarians' average salary	$42,946	$48,002	$44,335
Total number of minority librarians (U.S. only)	523	198	721
Total number of directors	45	64	109

* Excludes medical and law libraries.

Source: *ARL Annual Salary Survey 1996-97*

G. Jaia Barrett, Deputy Executive Director

Getting to Know DeEtta Jones, ARL Program Officer for Diversity

by Kathryn Deiss, Program Officer for Training

A long conversation is one of the best ways to learn about and get to know DeEtta Jones, ARL's new Program Officer for Diversity. I had the opportunity to spend an evening with DeEtta recently, when both of us were in Washington DC.

DeEtta brings a unique combination of skills, experience, and interests to her position at ARL.

I asked her what some of the most critical issues in the area of Diversity will be in the coming decade. She responded that Affirmative Action is certainly going to be in the spotlight of discussion and debate. DeEtta sees a rift in the understanding of the intent of Affirmative Action law. However, she also sees Affirmative Action as only part of what needs clarification, understanding, and organization.

DeEtta spoke to me about the ongoing creation of a new identity in higher education and its central importance to the research library community. This creation includes attempts to preserve the parts of its history that make it a uniquely identifiable set of activities, programs, and institutions. There is no question that at the core of its history, higher education has the legacy of being originated by and for a particular group of people. She described the creation of a new identity as being similar to changing a table setting. When additional people join the table, the new seating pattern results in new relationships amongst the participants—and perhaps a new direction in the conversation or a change in the very shape of the table. A new climate in higher education will be created by and for a new population of participants. This is part of the driving force for the reinvention of higher education. For DeEtta, the formation of a new identity is a very exciting prospect, though she understands the loss some will feel as a result of change.

In discussing the elements of diversity that are most intriguing to her, I learned of DeEtta's interest in the area of "identity development." This is what got her interested in the study of how people respond to changing environments. The identity development of individuals is related to the concepts underlying group identity and consequent behavior patterns. Identity development also relates to how individuals respond to those unlike themselves. DeEtta has done a good deal of study in this area and will bring these concepts to bear on her future work with ARL.

DeEtta Jones
ARL Program Officer for Diversity
(deetta@cni.org)

DeEtta described the most important characteristic of doing work in the area of diversity to be the highest degree of humility. She cited alliance-forging as an important way of moving diversity issues away from rhetoric and into action.

DeEtta reads voraciously. She also loves to write and most recently submitted an article for publication on legal issues in higher education. She describes herself as adventurous. Once established in the D.C. area, DeEtta expects to undertake graduate study in both computer science and in library science.

DeEtta was born in Waukegan, Illinois and comes to ARL after seven years in Fort Collins, Colorado. DeEtta earned her B.A. in Psychology from Colorado State University and went on to earn an M.A. in Student Affairs in Higher Education from Colorado State University. Most recently DeEtta was Director of the Office of Human Rights for the City of Fort Collins. Previously, she served as Coordinator for Multicultural Training and Leadership Development at Colorado State University.

We at ARL heartily welcome DeEtta and know that the staff of member libraries will benefit from her intelligence and energy, as well as her commitment to issues of diversity and of leadership for the future.

ARL Membership Examines the Future of Higher Education

The 129th Membership Meeting of ARL was held October 16-18 in Washington, DC. The theme of the meeting was the Redefinition of Higher Education. One hundred and twelve representatives of ARL libraries heard reports and participated in discussions of: NASULGC's Kellogg Commission on the Future of Public Universities; the Pew Campus Roundtables; The Andrew W. Mellon Foundation's JSTOR project; and proposals to create an education-friendly framework for dissemination of scholarly information. The program also included a panel of chief academic officers who commented on how academic programs are responding to current challenges. The keynote address by Stanley Chodorow, Provost, University of Pennsylvania, is featured in this issue of the newsletter. Other papers presented at the meeting will be published electronically on ARL's server <http://arl.cni.org> as they are received.

At the business meeting, ARL President Nancy Cline, Harvard University, reported on the Board of

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Director's election of James Neal, Johns Hopkins University, as Vice-President/President Elect. She also acknowledged the contributions of ARL staff and thanked directors for their service on the ARL Board, recognizing the departure from the Board of Jerry Campbell, University of Southern California, Kent Hendrickson, University of Nebraska, and James Williams, University of Colorado. The ARL Membership elected three new members to the Board: Shirley Baker, Washington University in St. Louis, Kenneth Frazier, University of Wisconsin, and William Potter, University of Georgia. At the conclusion of the meeting, the ARL presidency was transferred to Gloria Werner, UCLA. The next Membership Meeting will be held May 13 - 17, 1997 in Albuquerque, New Mexico.

Welcomed to ARL

An impressive roster of recently appointed directors of research libraries were welcomed by their colleagues to the May and October 1996 ARL Membership Meetings . Some of the directors new to ARL are pictured above during a reception held in October at the Smithsonian Institution National Museum of American History. They are, from left to right: Charles Lowry, University of Maryland; Frances Groen, McGill University; ARL President Nancy Cline, Harvard University; Ronald Dow, University of Rochester; Suzanne Thorin, Indiana University; Paul Gherman, Vanderbilt University; Sarah Thomas, Cornell University; David Ferriero, Duke University; Ann Wolpert, Massachusetts Institute of Technology; Mod Mekkawi, Howard University; Hwa-Wei Lee, Ohio University; and ARL Executive Director, Duane Webster. Other directors welcomed to ARL during 1996 but not in the photo are: Joseph Branin, SUNY Stony Brook; Patricia Senn Breivik, Wayne State University; Joan Gieseke, University of Nebraska; Charles Henry, Rice University; Karen Trainer, Princeton University; and William Walker, New York Public Library. This most recent wave of appointments brings sixteen new member leaders to the association.

Transitions

Massachusetts: Margaret (Margo) Crist was named Director of Libraries effective January 21, 1997. She is presently Assistant Director for Public Services at the University of Michigan.

Michigan: Don Riggs will leave his position as Dean of the University Library on December 31 to assume his new position as Vice President for Information Services and University Libraries at Nova Southeastern University in Ft. Lauderdale, Florida. William Gosling, Assistant Director for Technical Services and Systems was appointed Interim Director of the University Libraries effective January 1, 1997.

Smithsonian: Barbara J. Smith has announced that she will retire from her position as Director of Smithsonian Institution Libraries effective the summer of 1997.

~

Coalition for Networked Information: Joan Lippincott was named the Interim Executive Director for the Coalition for Networked Information following the untimely death of Paul Evan Peters. Joan has served as Assistant Executive Director of CNI since 1990.

ARL Staff Transitions

Patricia Brennan, Information Services Coordinator, began a leave of absence to work in Ireland this winter and spring. She plans to return to ARL next June.

Martha Kyrillidou, Senior Program Officer for ARL's Statistics and Measurement Program will move to part-time status as of January 1, 1997.

Julia Blixrud was appointed Senior Program Officer for ARL effective December 16. Julia will support the Statistics and Measurement Program, assuming some of Martha Kyrillidou's responsibilities. Julia will also support the ARL communications capability, covering some of Patricia Brennan's duties during her leave of absence. Julia comes to ARL from the CAPCON Library Network where she serves as the Director of Training and Education.

DeEtta Jones will assume her role as ARL Program Officer for Diversity effective December 30, 1996.

Honors

Ernie Ingles, Associate Vice-President (Learning Systems) at the University of Alberta in Edmonton, was named Information Innovator of the Year by the Canadian Information Productivity Awards (CIPA). In addition, the **University of Alberta Library** received an Award of Excellence from CIPA in recognizition of its advancement toward "the digital library with its order processing and delivery system" (Relais). CIPA is an annual awards program to recognize outstanding management achievements in information technology and to identify role models for Canadian businesses and government.

Carolyn A. Snyder, Professor and Dean of Library Affairs, Southern Illinois University at Carbondale, was named Faculty Woman of Distinction.

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PAUL EVAN PETERS, 1947-1996

Paul Evan Peters, a charismatic leader in the development and expanded use of electronically networked information by the scholarly community, died suddenly on November 18 while walking on a Florida beach with his wife during a visit to his parents' home. He was 48. The cause of death was an asthma attack.

Paul was the founding director of the Coalition for Networked Information (CNI), which was formed in 1990 to promote the creation and use of networked information resources and services that advance scholarship and intellectual productivity. In the six years that he led the Coalition, he shaped it into a highly regarded and influential forum where the higher education (including virtually all major research universities), library, information science, and scholarly communities could effectively engage the challenge of networked information.

Paul Evan Peters, 1947-1996

He sought common ground for many constituencies to develop global networked information resources. His sudden death stunned the communities where he was most admired and where his vision and ability to pull people together to utilize the new realities of the Internet were seen as unique.

Before founding the Coalition in March 1990, Paul was systems coordinator at the New York Public Library from 1987 through 1989, and was Assistant University Librarian for Systems at Columbia University, where he also earned a master's degree in sociology in 1986. From 1970 until 1978, he was principal in a variety of research and development projects and earned a master's degree in library and information science at the University of Pittsburgh. He earned undergraduate degrees in computer science and philosophy at the University of Dayton in 1969. Paul was a former president of the Library and Information Technology Association, was a former chair of the National Information Standards Organization, and served on the editorial board of a number of networking, networked information, and library technology journals.

Some of Paul's most outstanding accomplishments also included: his service on the council of the American Library Association; his position as curator for The Global Library Exhibit at the New York Public Library; and his work to develop the National Initiative for a Networked Cultural Heritage (NINCH). He was also a catalyst for electronic journal, theses, and archives projects as well as mentoring and providing vision to the library and information technology community. In short, Paul was an imagineer.

Paul was born on December 12, 1947 in Dayton, Ohio. He is survived by his wife Rosemarie Kozdron, his parents Austin and Mary Peters, and a brother Philip.

~

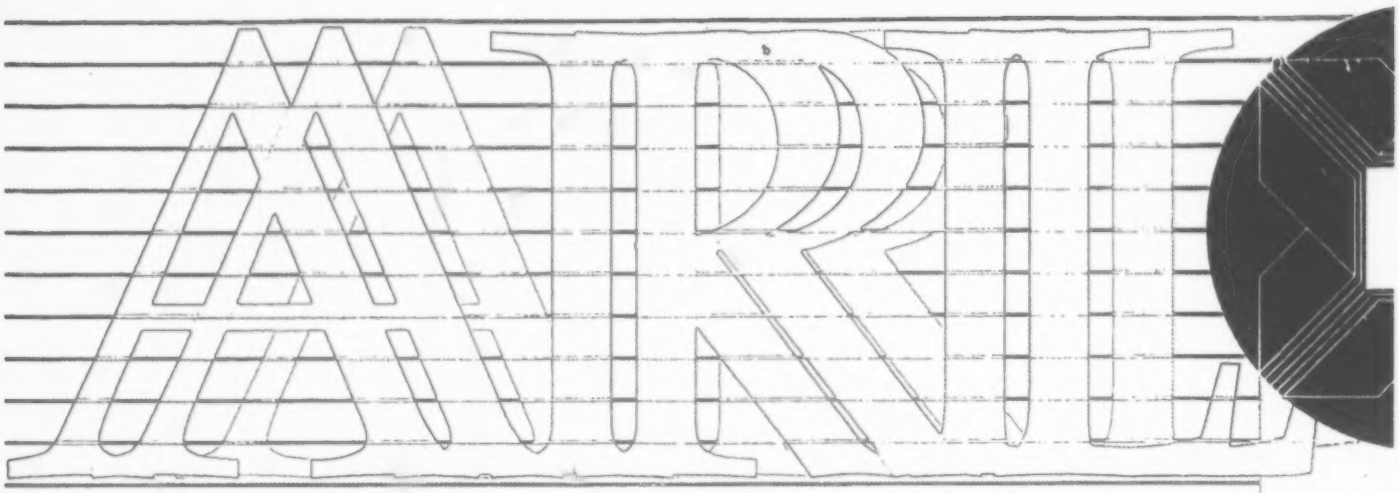
As a tribute to Paul's commitment, the Coalition Task Force meeting was held as planned December 6-7 in San Francisco. Over 320 representatives from the communities he served gathered to engage the agenda Paul had planned for the meeting — enterprise-wide information strategies.

A memorial service was held during the Task Force Meeting and a scholarship fund was announced. Memorial services are also planned in Pittsburgh on December 15, and in Washington, DC on February 18, 1997. An online record of condolence messages and details on the scholarship and future memorial services are available on the CNI Web server <http://www.cni.org/prog-oview.html>.

A NOTE FROM PAUL'S COLLEAGUES AT ARL

Those of us who work in the same building with the Coalition for Networked Information are holding on to our memories of Paul striding through our offices. There is a lingering anticipation that at any moment he will step off the elevator with his favorite coffee mug and, with his famous grin, deliver a greeting something like the following: "When I explain, I'm sure you will understand — (pause for maximum effect) — but first, tell me what *you've* been doing for networked information while I've been gone."

His absence feels artificial. His legacy, however, is very real. Remembering Paul's dogged determination to keep our communities working together for the good of society and for the joy of learning, we arrive at our office each day knowing his expectations of us, and eager to respond to his question. Thanks Paul, for giving the ARL staff and all the research library community a role model for addressing our expanded vistas.



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189

December 1996

Ownership of Faculty Works 4
International Intellectual Property Proposals 8
Getting to Know DeEtta Jones, ARL Program Officer for Diversity 13

CALENDAR 1997

February 6-7	**ARL Board Meeting Washington, DC**
February 14-20	American Library Association Washington, DC
March 24-26	ARL Workshop Electronic Publication of Data Sets on the WWW Cambridge, MA
March 31	ARL Workshop Conducting User Surveys Irvine, CA
April 1-2	Coalition for Networked Information Washington, DC
April 10-11	ARL Workshop Copyright in the Digital Age Nashville, TN
April 11	ARL Workshop Conducting User Surveys Nashville, TN
April 11-14	ACRL National Conference Nashville, TN
May 13-16	**ARL Board and Membership Meeting Albuquerque, NM**
June 26-July 3	American Library Association San Francisco, CA
July 28-29	**ARL Board Meeting Washington, DC**
October 14-17	**ARL Board and Membership Meeting Washington, DC**

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Calendar of Training Institutes & Workshops

See pages 10-11.

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